# EXHIBIT 41

Filed Under Seal

## DEPARTMENT OF CORRECTION CITY OF NEW YORK

**UOF PACKAGE** 

UOF D Numb r 289 / 3 Inc dent Facility GRVC

UOF ID Number: 2893/23 Case 1.11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 3 of 118

Incident

**UOF ID Number:** 2893/23

Primary Incident Type: Use of Force

Primary Incident Status: Actual

Primary UOF Type: Control holds/takedown techniques

Secondary UOF Type: Application of Restraints

Reason For UOF: Prevention of Infliction of Harm

Occurred Time: Jun 7 2023 8:24AM

Reported Time: Jun 7 2023 9:45AM

Reported By: ADW

Reported To: PS Incident Facility: GR

Facility Area: Barber Shop/Beauty Salon

Anticipated UOF (Call In): No

Description of Incident:

AT 0945 HOURS, THE FACILITY REPORTED, AT 0824
HOURS, IN THE BARBER SHOP AREA, INMATE

**GRVC** 

BECAME DISRUPTIVE,

SPAT TOWARDS OFFICER
(NOT MAKING CONTACT) AND REFUSED ORDERS
TO STOP. OFFICER UTILIZED A CLOSED FIST

TOWARDS THE INMATE FACIAL AREA AND HE

BECAME IRATE. OFFICERS

UTILIZED

UPPER BODY CONTROL HOLDS TAKING THE INMATE DOWN TO THE FLOOR. OFFICER APPLIED THE SPIT MASK, GUIDED THE INMATE TO HIS FEET AND ESCORT HOLDS TO THE MINI CLINIC AND HE RESISTED BY PULLING AWAY. THE OFFICERS UTILIZED BODY CONTROL HOLDS TO RE-AFFIRMED AND THE INMATE WAS SECURED IN THE MINI CLINIC, TERMINATING THE INCIDENT. STAFF AND INMATE INJURIES ARE PENDING. THIS INCIDENT IS CLASSIFIED AS A "P" USE OF FORCE. VIDEO SURVEILLANCE: YES/CHEMICAL AGENT (OC) UTILIZED: NO. UPDATE: ON 06/21/23 THE FACILITY REPORTED THERE WERE NO STAFF AND **INMATE** INJURIES. THIS INCIDENT

RECLASSIFIED AS A "C" USE OF FORCE.

AT 0945 HOURS, THE FACILITY REPORTED, AT 0824



UOF ID Number: 2893/23 Page 4 of 118

HOURS, IN THE BARBER SHOP AREA, INMATE

BECAME DISRUPTIVE,

SPAT TOWARDS OFFICER

(NOT MAKING CONTACT) AND REFUSED ORDERS TO STOP. AS RESULT, A USE OF FORCE OCCURRED WITH THE BELOW LISTED STAFF. THIS USE OF FORCE INCIDENT IS CLASSIFIED AS A "P USE OF FORCE. VIDEO SURVEILLANCE: YES/CHEMICAL AGENT (OC) UTILIZED: NO. UPDATE: ON 06/2 /23 ON MEDICAL BASED THIS INCIDENT RECLASSIFIED AS A "C" USE OF FORCE.

Restraints:

Video Captured:

**Incident Source: TRS** 

**Assigned Tour Commander Name:** 

Assigned Captain Name:

Assigned DDI Name:

Assigned ID Supervisor Name:

**Assigned ID Investigator Name:** 

Created By:

Status:

**Created Date:** 

Updated By:

**Updated Date:** 

Preventative Action:

**Injury Class:** 

DOC Age Categorization:

Nunez Age Ca egoriz tion:

Location De cription:

Assigned Doc ment Clerk Name:

Staff Participants:

No

Yes

Closed

**IRS** Interface

Jun 7 2023 12:50PM

Jul 13 2023 1:24PM

**GAVE ORDERS** 

C

Young Adult

BARBER SHOP AREA

UOF ID Number: 2893/23 Page 5 of 118 **Inmate Participants:** Staff Witnesses: **Inmate Witnesses:** Incident - Activity Access Level: IDActivity Type: **Documentation Work Activity Date:** Jun 07 2023 Notes: Video Request sent Created By: Created Date: Jun 13 2023 1:29PM Updated Date: Creator ID: Incident - Activity Access Level: ID **Activity Type:** Documentation Work **Activity Date:** Jun 08 2023 Notes: Case assigned Created By: Created Dat: Jun 13 2023 1:29PM Updat d Date Cr ator ID:

Incident - Act vity

Access Level: ID

Activity Type: Documentation Work

Activity Date: Jun 20 2023

UOF ID Number: 2893/23 Page 6 of 118 assigned this case on 6/14/23 Notes: Investigaot Created By: Created Date: Jun 20 2023 9:45AM **Updated Date:** Creator ID: Incident - Activity Access Level: ID **Activity Type:** Documentation Work **Activity Date:** Jun 20 2023 Notes: Investigator interviewed PIC on 06/13/23 Created By: **Created Date:** Jun 20 2023 9:45AM **Updated Date:** Creator ID: Incident - Activity Access Level: ID Activity Type: Documentation Work **Activity Date:** Jun 20 2023 Notes: Investigator obtained BWC logbook on 06/23/2023 Created By: **Created Date:** Jun 20 2023 9:46AM **Updated Date:** Creator ID: Incident - Acti ity Access Leve IDActivity Typ Documentation Work Ac ivity Date: Jun 13 2023 N tes: Investigator reached out to ADW for the proper medical documentation for staff/ Created By: **Created Date:** Jun 20 2023 9:47AM **Updated Date:** Creator ID:

Case 1.11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 7 of 118 UOF ID Number: 2893/23

Incident - Activity

Access Level:

Activity Type: Documentation Work

Activity Date: Jun 20 2023

Notes: Investigator obtained 22Rs for DOC staff.

Created By:

Created Date: Jun 20 2023 9:47AM

**Updated Date:** 

Creator ID:

Incident - Activity

Access Level: ID

Activity Type: Documentation Work

Activity Date: Jun 21 2023

Notes: Investigator sent out Use

Immunity

Created By:

Created Date: Jun 21 2023 10:31AM

**Updated Date:** 

Creator ID:

Incident - Activity

Access Level: ID

Activity Type: Documentation Work

Activity Date: Jun 21 2023

Notes: Investigator sent out NTA for Officer Officer

and Officer

Created Date: Jun 21 2023 10:32AM

U dated Date

Cr ator ID:

Incident - Activity

Created By:

Access Level:

Activity Type: Documentation Work

Case 1:11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 8 of 118 UOF ID Number: 2893/23 **Activity Date:** Jun 22 2023 Notes: Recieved the NTA for Officer Created By: **Created Date:** Jun 22 2023 2:30PM **Updated Date:** Creator ID: Incident - Activity Access Level: ID **Activity Type: Documentation Work Activity Date:** Jun 22 2023 Notes: Officer has an approved time due for a Muslim holiday and he us unable to come in next Wednesday for an MEO-16 interview. Created By: **Created Date:** Jun 22 2023 2:31PM **Updated Date:** Creator ID: Incident - Activity Access Level: ID **Activity Type: Documentation Work Activity Date:** Jun 22 2023 Notes: has mutual days off so he will be unable Officer to come in for a MEO-16 interview. Created By: **Created Date:** Jun 22 2023 2:32PM Updated Dat : Creator ID: In ident - Activity A cess Level: ID Acti ity Type Documentation Work **Activity Date:** Jun 22 2023 Notes: Investigator listened to securus phone call and checked visitor express for PIC

**Created By:** 

UOF ID Number: 2893/23 Page 9 of 118 **Created Date:** Jun 22 2023 2:32PM **Updated Date:** Creator ID: Incident - Activity Access Level: ID**Activity Type:** Documentation Work **Activity Date:** Jun 26 2023 Notes: Went to interview PIC witness Created By: **Created Date:** Jun 26 2023 12:44PM **Updated Date:** Creator ID: Incident - Activity Access Level: ID Activity Type: Documentation Work **Activity Date:** Jun 28 2023 Notes: Conducted MEO-16 interviews on Officer and Officer Created By: Created Date: Jun 28 2023 7:41PM **Updated Date:** Creator ID: Incident - Video/A dio Captured Access Level  ${
m I\!D}$ Media Type Video Vide /Audio Ty e: Stationary V deo Link: Vid o/Audio S art Date and Time: Jun 7 2023 8:00AM

Video/Audio End Date and Time: Jun 7 2023 9:00AM

Created By:

**Created Date:** Jun 13 2023 4:52PM

UOF ID Number: 2893/23 Case 1:11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 10 of 118 **Updated Date:** Incident - Incident Event Log Access Level: ID Action: Complete Preliminary Review - Assign to ID To Status: Preliminary Review - Pending ID Supervisor Appr val Reason Not Approved: Created By: **Created Date:** Jun 13 2023 4:52PM Incident - Incident Event Log Access Level: ID Action: Approve Preliminary Review - Assign to ID (send to DDI) To Status: Preliminary Review - Assign to ID DDI Approval Reason Not Approved: Created By: **Created Date:** Jun 13 2023 5:56PM Incident - Incident Event Log Access Level: ID Action: Approve Preliminary Review (initiate ID Investigation) To Status: ID Investigation - Pending Investigation Reason Not Approved: Created By: **Created Date:** Jun 14 2023 10:43PM Incident - Incident Event Log Access Level: ID Action: Complete ID Investigation - Send to Supervisor To St: ID Investigation - Pending Supervisor Review & Approval R ason Not Approved: Cr ated By: Crea d Dat Jun 28 2023 8:03PM

ID

Generated on: September 11 2023

Incident - Incident Event Log

Access Level:

Case 1:11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 11 of 118 Action: Return - ID Investigation (to ID Investigator) To Status: ID Investigation - Pending Investigation Reason Not Approved: Revisions needed as discussed. Created By: **Created Date:** Jul 2 2023 1:23PM Incident - Incident Event Log Access Level: ID Action: Complete ID Investigation - Send to Supervisor To Status: ID Investigation - Pending Supervisor Review & Approval Reason Not Approved: Created By: **Created Date:** Jul 3 2023 5:01PM Incident - Incident Event Log Access Level: ID Action: Approve ID Investigation (send to DDI) To Status: ID Investigation - Pending DDI Approval **Reason Not Approved: Created By: Created Date:** Jul 6 2023 6:38PM Incident - Incident Event Lo Access Level: ID Action: Return - ID Investigation (to Supervisor) To Status: ID Investigation - Pending Supervisor Review & Approval Reason Not Approved: See email Created By: Created Date: Jul 8 2023 11:19AM In dent - Inci ent Event Log Acces Lev 1: ID

Action: Return - ID Investigation (to ID Investigator)

To Status: ID Investigation - Pending Investigation

Reason Not Approved: Revisions

Case 1.11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 12 of 118 UOF ID Number: 2893/23

needed.

Created By:

Created Date: Jul 9 2023 2:15PM

Incident - Incident Event Log

Access Level: ID

Action: Complete ID Investigation - Send to Supervisor

To Status: ID Investigation - Pending Supervisor Review & Approval

Reason Not Approved:

Created By:

**Created Date:** Jul 10 2023 11:45AM

Incident - Incident Event Log

Access Level: ID

Action: Approve ID Investigation (send to DDI)

To Status: ID Investigation - Pending DDI Approval

Reason Not Approved:

Created By:

Created Date: Jul 10 2023 6:28PM

Incident - Incident Event Log

Access Level: ID

Action: Return - ID Investigation (to Supervisor)

To Status: ID Investigation - Pending Supervisor Review & Approval

Reason Not Approved: as requested

Created By:

Created Date: Jul 10 2023 6:32PM

Incident - In ident Even Log

Acc ss Level: ID

A tion: Approve ID Investigation (send to DDI)

To Status: ID Investigation - Pending DDI Approval

Reason Not Approved:

Created By:

Created Date: Jul 10 2023 7:41PM

Generated on: September 11 2023 Page 10 of 59

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Incident - Incident Event Log

Access Level: ID

Action: Return - ID Investigation (to Supervisor)

To Status: ID Investigation - Pending Supervisor Review & Approval

Reason Not Approved: edit

Created By:

Created Date: Jul 11 2023 8:40AM

Incident - Incident Event Log

Access Level: ID

Action: Approve ID Investigation (send to DDI)

To Status: ID Investigation - Pending DDI Approval

Reason Not Approved:

Created By:

Created Date: Jul 13 2023 1:24PM

Incident - Incident Event Log

Access Level: ID

Action: Approve ID Investigation (send to Deputy Commissioner,

Investigation and Trials)

To Status: ID Investigation - Pending Deputy Commissioner,

Investigation and Trials approval

Reason Not Approved:

Created By:

Created Date: Jul 13 2023 1:25PM

Incident - Incident Event Log

Action: Approve ID Investigation (Deputy Commissioner,

Investigation and Trials)

Reason Not Approved:

Created By:

C eated Date:

Incid nt - Witness

Access Level: ID

Person Type: Staff

Shield #:

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UOF ID Number: 2893/23 Employee #: **Assigned Facility:** GEORGE R. VIERNO CENTER First Name: Last Name: Date of Birth: Date of Hire: Gender: Created By: **Created Date:** Jun 20 2023 9:53AM **Updated Date:** Title: Correction Officer Title Effective Date: **Deleted in IRS:** No Incident - Witness Access Level: ID Person Type: Inmate Book & Case #: **NYSID:** First Name: Last Name: Date of Birth: Date of Hire: Gender: Male **Inmate Facility:** Robert N. Davoren Center Classification Score: 12 Close Custo y: No ICR: No Pa ole Violator?: No PHD: No Red D: No **Under Mental Observation?:** No SRG Type: **SRG** 

Created By:

UOF ID Number: 2893/23 Page 15 of 118 **Created Date:** Jun 20 2023 9:53AM **Updated Date:** Race: Black or African American Title Effective Date: **Deleted in IRS:** No Adolescent: No Incident - Witness **Access Level:** ID Person Type: Inmate Book & Case #: **NYSID:** First Name: Last Name: Date of Birth: Date of Hire: Gender: Male **Inmate Facility:** (Discharged) **Classification Score:** 11 **Close Custody:** No ICR: Yes Parole Violator?: No PHD: No Red ID: Yes Under Mental Observa ion?: No **SRG Type:** SRG Created By: **Created Date** Jun 20 2023 9:54AM **Updated Date:** R ce: Black or African American

Tit Effective Date: Deleted IRS:

Deleted IRS: No

Adolescent: No

Incident - Witness

UOF ID Number: 2893/23	Document 000-37 Filed 11/11/23 Fage 10 01 116
Access Level:	ID
Person Type:	Inmate
Book & Case #:	
NYSID:	
First Name:	
Last Name:	
Date of Birth:	
Date of Hire:	
Gender:	Male
Inmate Facility:	George R. Vierno Center
Classification Score:	18
Close Custody:	No
ICR:	No
Parole Violator?:	No
PHD:	No
Red ID:	Yes
<b>Under Mental Observation?:</b>	No
SRG Type:	SRG
Created By:	
Created Date:	Jun 26 2023 12:47PM
Updated Date:	
Race:	Other
Title Effective Date:	
Deleted in IRS:	No
Adolescent:	No
Other Race:	Hispanic
Incident - Participant	
Ac ess Level:	IRS Interface
P rson Type:	Staff
Shie d #:	
Employee #:	
Book & Case #:	<del>0</del> 3
NYSID:	

Last Name:

Case 1:11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 17 of 118 UOF ID Number: 2893/23

First Name: **Assigned Facility:** GEORGE R. VIERNO CENTER **Title Effective Date:** Date of Hire: Date of Birth: Date of Admission: Length of Stay: Age: **Classification Score:** Disassociation Reason: Created By: **IRS** Interface **Created Date:** Jun 7 2023 12:50PM Updated By: IRS Interface **Updated Date:** Jun 21 2023 8:10AM Visitor Number: Title: Correction Officer Arrest No: **Indictment Docket No: Hospital Name: Participant Role: PARTICIPANT** Arrest Charge: Arrest Date: **Court Date: Arrest Disposition: Notice Served:** Other Gender: Other Race: Other Ment 1 Observati n Facility: Middle Nam: In ident - Participant A cess Level: IRS Interface Pers n Type: Staff

Shield #:

Employee #:

Book & Case #:

Generated on: September 11 2023

UOF ID Number: 2893/23 Case 1:11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 18 of 118 **NYSID:** Last Name: First Name: **Assigned Facility:** GEORGE R. VIERNO CENTER **Title Effective Date:** Date of Hire: Date of Birth: Date of Admission: Length of Stay: Age: **Classification Score: Disassociation Reason:** Created By: IRS Interface **Created Date:** Jun 7 2023 12:50PM **Updated By:** IRS Interface **Updated Date:** Jun 21 2023 8:10AM Visitor Number: Title: Correction Officer Arrest No: **Indictment Docket No:** Referred to Hospital: No Admitted to Hospital: No **Prescribed Medication:** No Participant Role: **PARTICIPANT Arrest Charge:** Arrest Date: **Court Date:** Arrest Dispo ition: **Notice Served:** Other G nder Other Race: O her Mental Observation Facility: Middle Name

Incident - Participant

Access Level: IRS Interface

Person Type: Staff

UOF ID Number: 2893/23 Case 1.11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 19 of 118 Shield #: Employee #: Book & Case #: NYSID: Last Name: First Name: **Assigned Facility:** GEORGE R. VIERNO CENTER **Title Effective Date:** Date of Hire: Date of Birth: Date of Admission: Length of Stay: Age: **Classification Score: Disassociation Reason:** Created By: IRS Interface **Created Date:** Jun 7 2023 12:50PM **Updated By:** IRS Interface **Updated Date:** Jun 21 2023 8:10AM Visitor Number: Title: Correction Officer Arrest No: **Indictment Docket No:** Referred to Hospital: No Admitted to Hospital: No **Prescribed Medication** No Participant Role: **PARTICIPANT** Arrest Char e: Arrest Date: Cou t Date: A rest Disposition: No ice Served Othe Gende : Other Race: Other Mental Observation Facility:

Middle Name:

Case 1:11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 20 of 118

301 ID Itamper. 2073/23	
Incident - Participant	
Access Level:	IRS Interface
Person Type:	Staff
Shield #:	
Employee #:	
Book & Case #:	<u> </u>
NYSID:	
Last Name:	
First Name:	
Assigned Facility:	GEORGE R. VIERNO CENTER
Title Effective Date:	
Date of Hire:	
Date of Birth:	
Date of Admission:	<del></del>
Length of Stay:	
Age:	
Classification Score:	
Disassociation Reason:	
Created By:	IRS Interface
Created Date:	Jun 7 2023 12:50PM
Updated By:	IRS Interface
Updated Date:	Jun 21 2023 8:10AM
Visitor Number:	
Title:	Correction Officer
Arrest No:	
Indictment Docket No:	
Referred to Ho pita	No
Admitted to Hospital:	No
Prescribed Medication:	No
Pa ticipant Role:	PARTICIPANT
A rest Charge	
Arr st Date:	

Generated on: September 11 2023

Court D :

Arrest Disposition: Notice Served: Other Gender:

UOF ID Number: 2893/23 Page 21 of 118

Other Race:

Other Mental Observation Facility:

Middle Name:

Incident - Participant

Access Level:

Person Type:

Shield #: Employee #:

Book & Case #:

**NYSID:** 

Last Name:

First Name:

**Assigned Facility:** 

GEORGE R. VIERNO CENTER

Title Effective Date:

Date of Hire: Date of Birth:

Date of Admission:

Length of Stay:

Age:

**Classification Score:** 

**Disassociation Reason:** 

Created By:

**Created Date:** Jun 7 2023 12:50PM

Updated By: IRS Interface

**Updated Date:** Jun 21 2023 8:10AM

Visitor Number:

Title: Correction Officer

Arrest No:

Indictment D cket No: Re erred to Hospital:

No A mitted to H spital: No

Pres ibed Medication: No

Participant Role: **PARTICIPANT** 

Arrest Charge: **Arrest Date:** 

IRS Interface

Staff







IRS Interface

UOF ID Number: 2893/23 Page 22 of 118

Court Date:

Arrest Disposition:

**Notice Served:** 

Other Gender:

Other Race:

Other Mental Observation Facility:

Middle Name:

Incident - Participant

Access Level: IRS Interface

Person Type: Staff

Shield #:

Employee #:

Book & Case #:

**NYSID:** 

First Name:

Last Name:

Assigned Facility: GEORGE R VIERNO CENTER

Assigned Facility: GEORGE R. VIERNO CENTER

Title Effective Date:

Date of Hire:

Date of Birth:

Date of Admission:

Length of Stay:

Age:

Classification Score:

Disassociation Reason:

Created By: IRS Interface

Created Date: Jun 7 2023 12:50PM

Updated By IRS Interface

Updated Dat: Jun 21 2023 8:10AM

Vis tor Number:

T le: Correction Officer

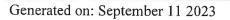
Arr st No:

Indictm Docket No:

Referred to Hospital:

Admitted to Hospital: No

Prescribed Medication: No



UOF ID Number: 2893/23 Page 23 of 118 Participant Role: **PARTICIPANT Arrest Charge:** Arrest Date: Court Date: **Arrest Disposition:** Notice Served: Other Gender: Other Race: Other Mental Observation Facility: Middle Name: Incident - Participant Access Level: **IRS** Interface Person Type: Staff Shield #: Employee #: Book & Case #: NYSID: Last Name: **First Name: Assigned Facility:** ANNA M. KROSS CENTER (C-95) (A.M.K.C.) Title Effective Date: Date of Hire: Date of Birth: Date of Admission: Length of Stay: Age: Classification S ore Disassociation Reason: Created By: **IRS** Interface Created Date: Jun 7 2023 12:50PM U dated By: **TRS** Interface Up ated Date Jun 21 2023 8:10AM Visitor Number:

Correction Officer

**Indictment Docket No:** 

Title:

Arrest No:

Case 1:11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 24 of 118 UOF ID Number: 2893/23 Referred to Hospital: No Admitted to Hospital: No **Prescribed Medication:** No Participant Role: **PARTICIPANT** Arrest Charge: **Arrest Date: Court Date: Arrest Disposition: Notice Served:** Other Gender: Other Race: Other Mental Observation Facility: Middle Name: Incident - Participant Access Level: IRS Interface Person Type: Inmate Shield #: Employee #: Book & Case #: NYSID: Last Name: First Name: Title Effective Date: Date of Hire: Date of Birth: Date of Admission: Length of Stay: Age: Gender: Male Race: Black or African American Classification Score: 31 SRG: **SRG** 

No

**Disassociation Reason:** 

UOF?:

Created By: IRS Interface

Was I e in Restraints Prior to

UOF ID Number: 2893/23 Case 1:11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 25 of 118

Created Date: Jun 7 2023 12:50PM

Updated By: IRS Interface

Updated Date: Jun 21 2023 8:10AM

**Visitor Number:** 

ICR: No.

Parole Violator: No

Red ID:

Inmate Facility: George R. Vierno Center

Arrest No:

**Indictment Docket No:** 

Adolescent: No

Referred to Hospital: No

Admitted to Hospital: No

Prescribed Medication: No

Participant Role: INSTIGATOR

Arrest Charge: Arrest Date:

**Court Date:** 

**Arrest Disposition:** 

Notice Served: Other Gender:

Other Race:

Other Mental Observation Facility:

Middle Name:

Incident - Incident Att chment

Attachment Type: Incident Inmate Photo Form

Attachment: File:

Created By IRS Interface

Created Date Jun 7 2023 12:50PM

Updated By:

Updated Date Jun 8 2023 7:05AM

Acce Level Facility

Incident - Incident Attachment

Attachment Type: Injury to Inmate Report - pg. 1

Generated on: September 11 2023

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Attachment:

File:

Created By:

IRS Interface

Created Date:

Jun 7 2023 12:50PM

Updated By:

Jun 8 2023 6:42AM

Updated Date:
Access Level:

Facility

Incident - Incident Attachment

**Attachment Type:** 

Injury to Inmate Report - pg. 2

Attachment: File:

**Created By:** 

IRS Interface

Created Date: Jun 7 2023 12:50PM

Updated By:

Updated Date:
Access Level:

**Facility** 

Incident - Incident Attachment

Attachment Type:

Inmate Voluntary Statement Form

Attachment:

File:

Created By:

IRS Interface

**Created Date:** 

Jun 7 2023 12:50PM

Jun 8 2023 7:08AM

**Updated By:** 

**Updated Date:** 

Jun 8 2023 6:42AM

Access Level:

Facility

Incident - Incident Attachment

Attachment Type:

UOF Staff Reports (Actual, Allegation or

Witness)

Attachment:

File:

Created By:

IRS Interface

C eated Date:

Jun 7 2023 12:50PM

Upda d By:

**Updated Date:** 

Jun 8 2023 7:37AM

Access Level:

Facility

UOF ID Number: 2893/23 Case 1:11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 27 of 118

Incident - Incident Attachment

Attachment Type: Tour Commander's handwritten UOF logbook entry (copy

of)

Attachment: File:

Created By: IRS Interface

Created Date: Jun 7 2023 12:50PM

Updated By:

Updated Date: Jun 8 2023 7:37AM

Access Level: Facility

Incident - Incident Attachment

Attachment Type: Photos of Injured Staff

Attachment: File:

**Comments:** 

Created By: IRS Interface

Created Date: Jun 8 2023 7:00AM

Updated By: IRS Interface

Updated Date: Jun 21 2023 8:10AM

Photo Type: FRONT

Access Level: IRS Interface

Other Attachment Type: Document Description: Other Photo Type:

Incident - Incident Attachment

Attachment Type: Photos of Injured Staff

Attachment: File:

Comments:

Created By: IRS Interface

Created Date: Jun 8 2023 7:00AM

U dated By: IRS Interface

Up ated Date Jun 21 2023 8:10AM

Photo Type: OTHER

Access Level: IRS Interface

Other Attachment Type:
Document Description:

Case 1:11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 28 of 118

File:

#### Other Photo Type:

Incident - Incident Attachment

Attachment Type: Photos of Injured Inmates

Attachment:

Comments:

Created By: IRS Interface

Created Date: Jun 8 2023 7:00AM

Updated By: IRS Interface

Updated Date: Jun 21 2023 8:10AM

Photo Type: OTHER

Access Level: IRS Interface

Other Attachment Type: Document Description: Other Photo Type:

#### Incident - Incident Attachment

Attachment Type: Photos of Injured Staff

Attachment: File:

**Comments:** 

Created By: IRS Interface

Created Date: Jun 8 2023 7:05AM

Updated By: IRS Interface

Updated Date: Jun 21 2023 8:10AM

Photo Type: OTHER

Access Level: IRS Interface

Other Attachm nt Type:

Document D scription:

Other Photo Type:

#### In ident - Incident Attachment

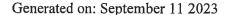
A achment T pe: Photos of Injured Staff

Atta hment: File:

Comments:

Created By: IRS Interface

Created Date: Jun 8 2023 7:05AM



Case 1 11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 29 of 118 UOF ID Number: 2893/23

Updated By: IRS Interface

Updated Date: Jun 21 2023 8:10AM

Photo Type: OTHER

Access Level: IRS Interface

Other Attachment Type:
Document Description:
Other Photo Type:

#### Incident - Incident Attachment

Attachment Type: Photos of Injured Staff

Attachment: File:

Comments:

Created By: IRS Interface

Created Date: Jun 8 2023 7:05AM

Updated By: IRS Interface

Updated Date: Jun 21 2023 8:10AM

Photo Type: OTHER

Access Level: IRS Interface

Other Attachment Type:
Document Description:
Other Photo Type:

#### Incident - Incident Attachment

Attachment Type: Photos of Injured Staff

File:

Attachment:

Comments:

Created By: IRS Interface

Created Date Jun 8 2023 7:05AM

Updated By IRS Interface

Updat Date: Jun 21 2023 8:10AM

Photo Type: OTHER

Ac ess Level: IRS Interface

Other Att hment Type: Document Description: Other Photo Type:



Case 1:11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 30 of 118 UOF ID Number: 2893/23

File:

Incident - Incident Attachment

Attachment Type: Photos of Injured Staff

Attachment:

Comments:

Created By: IRS Interface

Created Date: Jun 8 2023 7:05AM

Updated By: IRS Interface

Updated Date: Jun 21 2023 8:10AM

Photo Type: OTHER

Access Level: IRS Interface

Other Attachment Type:
Document Description:
Other Photo Type:

Incident - Incident Attachment

Attachment Type: Photos of Injured Staff

Attachment: File

**Comments:** 

Created By: IRS Interface

Created Date: Jun 8 2023 7:05AM

Updated By: IRS Interface

Updated Date: Jun 21 2023 8:10AM

Photo Type: OTHER

Access Level: IRS Interface

Other Attachment Ty:

**Document Description:** 

Other Photo T pe:

Incident - In ident Attac ment

Attach nt Type: UOF Staff Reports (Actual, Allegation or

Witness)

A achment: File:

Crea ed By:

Created Date: Jun 9 2023 11:33AM

**Updated Date:** 

Access Level: Facility

Generated on: September 11 2023



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Incident - Incident Attachment

Attachment Type: Staff Medical Treatment Form

Attachment: File:

Created By:

Created Date: Jun 9 2023 12:06PM

**Updated Date:** 

Access Level: Facility

Incident - Incident Attachment

Attachment Type: UOF Staff Reports (Actual, Allegation or

Witness)

Attachment: File:

Created By:

Created Date: Jun 9 2023 12:10PM

**Updated Date:** 

Access Level: Facility

Incident - Incident Attachment

Attachment Type: UOF Staff Reports (Actual, Allegation or

Witness)

Attachment: File:

Created By:

Created Date: Jun 9 2023 7:00PM

**Updated Date:** 

Access Level: Facility

Incident - Incident A achm nt

Attachment Type: UOF Staff Reports (Actual, Allegation or

Witness)

Atta hm nt: File:

C eated By:

Cr ated Date: Jun 10 2023 7:01AM

Updated ate:

Access Level: Facility

Incident - Incident Attachment

Case 1:11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 32 of 118 UOF ID Number: 2893/23 Attachment Type: UOF Staff Reports (Actual, Allegation or Witness) Attachment: File: UOFW. **Comments:** Officer and Officer Created By: **Created Date:** Jun 13 2023 3:58PM **Updated Date:** Access Level: Facility Incident - Incident Attachment **Attachment Type:** Other Attachment: File: Created By: **Created Date:** Jun 13 2023 4:49PM **Updated Date: Access Level:** ID Other Attachment Type: Video Request **Document Description:** Video Request Incident - Incident Attachment **Attachment Type:** Other Attachment: File: **Created By: Created Date:** Jun 13 2023 4:50PM **Updated Date:** 

Access Level: ID

Other Attachment Type Rapid Review

Document D scription: Facility Rapid

Review

In ident - Inci ent Attachment

Atta hment Type: Other

Attachment: File:

Created By:

Created Date: Jun 20 2023 9:56AM

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Case 1:11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 33 of 118 UOF ID Number: 2893/23

**Updated Date:** 

Access Level: ID

Other Attachment Type: Logbook

**Document Description:** BWC Logbook

Incident - Incident Attachment

Attachment Type: Inmate Voluntary Statement Form

Attachment: File:

Created By:

Created Date: Jun 21 2023 10:32AM

**Updated Date:** 

Access Level: ID

Incident - Incident Attachment

Attachment Type: Inmate Voluntary Statement Form

Attachment: File:

Created By:

Created Date: Jun 21 2023 10:33AM

**Updated Date:** 

Access Level: ID

Incident - Preliminary Review

**UOF** #: 2893/23

Occured Date: Jun 07 2023

Injury Class:

Inmate 18 or Younger:

Class A UOF:

Actual or Al eged Blows o Head: Yes

Actual or All ged Kicking: No

Ac ual or Alleged Use of Instrument No

of Force:

Inmate Was in Restraints: No

Prohibit Restraint Hold(s): No.

Video Surveillance Malfunction: No

Presence of Unexplained Facts: Yes

**Direct Referral from Facility:** 

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No

Prior UOF Violation OATH Plea: No

Evidence of Staff Collusion: No

Other Full ID Circumstances: No

Video Captured: Yes

Investigator's Justification for UOF #: 2893-23

**Determination:** Facility: GRVC



**Synopsis** 

On June 7, 2023, at approximately 0824 hours, in GRVC Barbershop, Person in Custody (PIC) was disruptive. PIC was secured in his enhanced restraints and was observed in a verbal exchange with Officer was observed spitting on the floor ( . Officer lunged forwards and punched in the facial area ( PIC Officers grabbed PIC by his upper body and took him down to the ground ( was resisting staff by twisting and PIC turning his body. Officer applied a spit mask and PIC was assisted to his feet. PIC continued to resist, and staff secured PIC against the wall PIC was relinquished to Officers and and escorted to the mini

Photographic Evidence

clinic, terminating the incident.

The facility provided one (1) photographs of PIC, noted as a refusal. Of note, the facility uploaded incident photos of Officers, and left. However, no medical documentation regarding staff injuries was provided to the Investigation Division.

Video Evidence

The following video evidence was reviewed from 0800 hours to 0900 hours on June 7, 2023, and depicted the incident as narrated above.

Investigator verified there was no handheld evidence associated with this incident.



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Staff/PIC injuries

Injury to Inmate Report, FY23/1214 noted on June 7, 2023, at 0830 hours, PIC was produced for prompt medical attention and refused the medical evaluation.

There were no reported staff injuries by COD or the facility.

Accuracy of UOF classification:

As of June 13, 2023, this incident remains classification.

"P"

A brief summary of PIC statements.

PIC refused to provide a statement to the facility.
PIC r provided a body worn camera statement to
Investigator

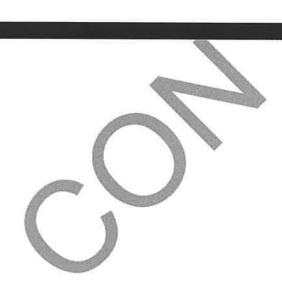
Of note, a 311 call (Task ID came to the Investigation Division in connection with UOF 2893-23 which stated: My son was in the barbershop when entered the barbershop about an incident that did not have to do with my son. He asked my son to identify himself after he was escorted and identified by two other officers. My son identified himself. The officer then proceeded to antagonize my son. He got in my son's face and told my son to spit on him. My son eventually did as he asked. My son reports that he was then punch in the face while he was in restraints. The officer who punched him name is Additionally, a female officer threatened to have him set up. He does not know her name. He was not provided clean clothing. He is allowed at least 1 hour out of his cell. While I was on the phone with him, was taunting him about not letting him get his hour out of his cell. They are also constantly changing his phone pin, making it difficult for him to contact his family. He was diagnosed with PTSD and reports that it is being impacted due to these incidences. When he goes to court and returns back, they hold him in segregation for extended periods of time.

Staff reports

All staff reports were reviewed and were consistent with the video evidence and each other.

Facility Rapid Review:

The Rapid Review conducted by Deputy Warden noted that the incident was unavoidable, however procedural errors were noted. Officer was observed throwing closed fist punches to the PIC and will be made the subject of a suspension.



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According to the Notice of Suspension, in accordance with directive 5006R-D, the use of force was deemed avoidable as Officer had a means of egress after the assault. As a result, Officer will be made the subject of a ten (10) day suspension. The suspension is effective June 7, 2023-June 17, 2023.

#### Conclusion:

Based on the evidence cited above, it is recommend d that this case be referred for further investigation due to Off cer utilizing a closed fist strike to PIC facial area and due to the presence of unexplained facts.

Staff Reassignment During No.

Investigation:

DOI Referral for Staff:

DOI Referral for Inmate:

No
Injury Properly Classified:

No

Review End Date: Jun 13 2023

Workflow Action: Approve Preliminary Review (initiate ID Investigation)

Created Date: Updated By:

**Updated Date:** Jun 14 2023 10:43PM

Incident - Investigation

**UOF ID Number:** 2893/23

Incident Occurred Time: Jun 7 2023 8:24AM

**Incident Reported Time:** Jun 7 2023 9:45AM

Incident Facility: GRVC

**SOL:** Dec 07 2024

Assigned Tour Comma der Name:

ID Investiga or Name:

In estigation Start Date: Jun 14 2023

In estigation End Date: Jul 18 2023

Investig i n Status: Closed

Investigation on Hold: No

**Hold Start Date:** 

ID Supe isor Name:

**Investigation Duration in days:** 34

#### 

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146

Days Remaining Complete To

**Investigation:** 

**Investigation Restart Date:** 

Probe Team: No

Photographs of Location: No

Photographs of Staff: Yes

**Photographs of Inmates:** Yes

Video Documentation: Yes

Video Type:

**Body Camera** 

Stationary

Video Reviewed: Yes

Video Consistent: Yes

Video Malfunction: No

**Final UOF Injury Class:**  $\mathbf{C}$ 

**Injury Reports Compiled:** Yes

Workflow Action: Approve ID Investigation (Deputy Commissioner,

Investigation and Trials)

Created By:

**Created Date:** Jun 15 2023 10:31AM

**Updated By:** 

**Updated Date:** Jul 18 2023 4:24PM

Other Video Unavailable: No

I stigat n Finding Incident - Investigatio

**Investigation Findings** 

Precipitating neident Verbal Altercation with an Officer

Participant:

Video

1. Was the UOF/alleged UOF incident

captured on G netec video?:

Yes

2. Was the vid o footage preserved?: Yes

3. Was the UOF/alleged UOF incident

captured on handheld video?:

No

If No: No handheld camera was utilized for this incident.

4. Was the video footage preserved?: N/A

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5. Were there any issues regarding the handheld video/camera operator?:

6. Was there any other relevant video footage (escort, leading up to the UOF, etc.)?:

7. Was the video footage preserved?:

Summary of Video Evidence:

N/A

Yes

Yes

Genetec Video Review:



Genetec angles:

from 6/7/23 (0800-0900 hours),

revealed the following:

area. At approximately 0818 hours, multiple staff responded to the Barber Shop due to a disruptive PIC, which was unrelated to this incident. The PIC was removed from the area without incident. At approximately 0823 hours PIC was sitting in the barber chair getting a haircut from Officers and were conversing in the barbershop entry way . Then, Officer approached where the remaining PICs were seated, getting their haircuts, and appeared to be speaking to them. PIC spoke back, moving his head as he spoke. Shortly after, Officer and Officer approached PIC Officer positioned at left side and Officer was positioned at right side of PIC Officer began to put a pair of gray gloves on his hands. stood up from the chair, as Officer PIC placed the enhanced restraints security mitts on PIC approached PIC left-hand. Officer where he leaned in and then took a step back from the PIC. Officer stood to the right of Officer as Officer conversed with PIC sat on the adjacent, left while PIC side of PIC was cutting his hair ( stepped forward and conversed with PIC Officer while PIC was still standing. Officers stood on both sides of him as the PIC and was being secured. Officer held PIC

On June 7, 2023, at approximately 0800 hours, Barber Shop services were being conducted in the GRVC Barber Shop



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arm in an escort hold, holding the left elbow and forearm.

Simultaneously, Officer walked on the left side of Officer . Officer approached PIC who was located behind Officer and Officer It was at this time that PIC spat on the floor. Officer conversed with PIC during PIC actions and while Officer contin ed to converse with PIC . Officer maintained the escort hold on PIC left arm, as Officer inspecting and securing the handcuffs. At 0825:30 hours, with his mouth in an open position, made a movement with his head toward Officer . At which point, Officer immediately shuffled forward then lunged at PIC throwing a strike toward PIC facial area. However, based on the placement of the staff which partially obstructed the camera view due to the distance of the nearest camera angle from the events, it was unclear whether contact was made, but PIC fell backwards and down into the chair. Officer observed making another downward striking motion towards the PIC's body area Officer and Officer intervened and pulled Officer away from grabbed PIC PIC . Officers and arms, who then tensed his body. Officer moved Officer closer to the door. PIC resisted Officers Officer by moving his body as they attempted to raise him up from the chair. Officer and Officer then took PIC the ground, which revealed that he was in leg irons already PIC was rolled onto his stomach by the officers. Officer restrained the PIC's legs with his hands.



Officer made a series of radio transmissions. Soon after, Officers and entered the Barber Shop. Officer entered the barbershop and retrieved a spit mask from the file cabinet. Officer brought the spit mask to the other staff, and Officer applied the spit mask over PIC head. Captain then entered the Barber Shop as she made a radio transmission, then approached where the staff were and conversed with Officer . PIC assisted to his feet; however, the PIC continued to actively resist staff by moving/shrugging his upper body and moving his head from side to side, which was bent down/forward as

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the staff applied escort holds to his arms. Officer grabbed the bottom of the spit mask, and simultaneously, Officer Officer . Officer Officer guided PIC toward the locker. PIC | continued to resist the staff with his head down, which resulted in his head making contact with the twice as the staff secured him against the locker. During those events, Officer observed momentarily placing his right forearm o PIC upper back area, and then readjusted his forearm away from the upper back area; the PIC continued to resist staff

The staff began escorting PIC away from the lockers when Officer Captain , Officer Captain entered the Barber Shop, and took custody of PIC Officer escorted the PIC out of the Barber Shop where he resisted by moving his body. Officer escorted the PIC into the corridor where he was secured to the wall . PIC was escorted through the corridor by Officer and Officer alongside them. PIC with Captain was taken to the Mini Clinic, terminating the incident

Body Worn Camera (BWC)
BWC assigned to Officer 08:25:3908:28:26

The footage captured multiple verbal commands being to "stop, stop, stop." Officer given to PIC was observed wearing unauthorized search gloves (with grooves and uneven surfaces). PIC the Barber Shop chair as staff took him to the ground. PIC went down to the floor on his back, facing toward the staff when staff said, "turn him over" as the PIC laughed. As staff turned PIC over. Officer had his right arm on the PIC's back and his left arm was holding the PIC's left arm down. While they are on the ground, PIC told Officer to get off his arm and that he had mittens on. Officer then told PIC to stop moving as staff assisted PIC from the floor. At which point, the PIC attempted to take off the spit mask by moving his head as Officer . Officer . Officer Officer guided him to the locker. Officer was observed pulling the spit mask back down into the appropriate position (02:18 minutes). The staff began escorting PIC out of the Barber Shop when Captain and responding officers assumed custody of



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the PIC.

BWC assigned to Captain 6/7/23 08:28:21-08:36:05 Captain can be heard saying, "Let go, let go, you had a use with him" in which Officer explained that he did not have a use. PIC was guided to the wall as staff continued to tell him to "Cut it out", "stop and that "it was over." PIC continued to argue wit staff as a female Captain ( ) explained that he needed a shoe. PIC told Officer that h did not do anything and that he had mittens on. As Officer and Officer escorted PIC Building 11 Mini Clinic, the PIC said that he was not going to the clinic. Captain responded by saying "he's going to refuse." As they walked down the corridor, PIC stated that the Officer punched him while he was continued to explain in mittens on camera. PIC that he was punched while mittens were on and that he was going to get the bag. PIC can be heard saying. "he thought I wasn't going to spit on him. I'm no halfway, I go all the way." In the Clinic, Captain was filling out paperwork (an Injury to Inmate Report Form) and PIC can be heard in the background saving, "that wasn't fair, don't try to hit me with cuffs, fuck, yes I'm spitting." That's why I started spitting, that's all I can do, I can get violent bro, yes, I'm spitting, I'm tired of that shit."

6/7/23 08:43:21-BWC assigned to Captain 08:47:23 Captain and a group of officers escorted PIC through the corridor, and into an elevator. PIC began to recount the events leading up to the use of force incident. He was escorted off of the elevator and escorted into the Building 15A housing area. The staff continued to escort the PIC without incident to a cell on the right lower tier of the housing area ). The leg irons were removed from his ankles, then he was brought into his cell. The staff exited the cell with the wrist restraints, and the cell door was then closed.

Other relevant video evidence:

video from 06/06/23 revealed:

Based on Genetec video and handheld video footages, on June 6, 2023, in housing area 15,B Officer went to the housing area and went to PIC cell ( at approximately 0632 hours where he asked PIC if he wanted to go to "REC" (recreation)



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then wrote in his notebook and proceeded to ask the rest of the PICs in the housing area if they also wanted to go to REC. Upon reviewing further Genetec and handheld video, other PICs were observed being escorted out of their cells to go to outside for REC services. Throughout the remaining duration of the Genetec video, PIC was not taken out of his cell r REC. Various DOC staff, including a captain, officers, Pr gram civilian staff, and the medical doctor were obser ed conversing with PIC from outside of cell and continued to visit him throughout the early afternoon.
No
No
Yes
Yes
No
No
No
No
N/A
N/A
No

Statement to the Facility: On June 7, 2023, PIC

PIC Statements:

On June 7, 2023, PIC statement to the facility.

refused

refused to provide a

**Inmate Statements** 

inmate(s)?:

inmate(s)?:

staff?:

relevant

telephone calls?:

telephone calls?:

adj. hearing? :

adj hearing?:

any ther sou ce?:

statement(s) to the facility?:

among inmate statements?:

Did the participant inmate(s) provide a statement(s) to the facility?:
 Did the witness inmate(s) provide a

3. Did the ID interview all participant

4. Did the ID interview all witness

5. Was there any evidence of collusion

6. Did the participant inmate(s) make any relevant statement(s) to medical

7. Did the participant inmate(s) make any relevant statement(s) during

8. Did the witness inmate(s) make any

9. Did the participant i mate(s) m ke any relevant st ent(s) during the

10. Did the witness inmate(s) make any relevant statement() during the

11 Were any participant/witness inmate statement(s) obtained from

**Summary of Inmate Statements:** 

statement(s)

during

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Statement to Medical:

On June 7, 2023, PIC did not make any statements pertinent to medical.

311 Complaint:

On June 10, 2023, a 311 complaint was received that stated the following:

My son was in the barbershop when entered the barbershop about an incident that did not have to do with my son. He asked my son to identify himself after he was escorted and identified by two other officers. My son identified himself. The officer then proceeded to antagonize my son. He got in my son's face and told my son to spit on him. My son eventually did as he asked. My son reports that he was then punch in the face while he was in restraints. The officer who punched him name is Additionally, a female officer threatened to have him set up. He does not know her name. He was not provided clean clothing. He is allowed at least 1 hour out of his cell. While I was on the phone with him, officer was taunting him about not letting him get his hour out of his cell. They are also constantly changing his phone pin, making it difficult for him to contact his family. He was diagnosed with PTSD and reports that it is being impacted due to these incidences. When he goes to court and returns back, they hold him in segregation for extended periods of time."

Statement to ID:

On June 13, 2023, at approximately 1051 hours Investigator responded to and Investigator GRVC housing area 15A and conducted a BWC interview explained with PIC PIC that he was in the barbershop getting a haircut when the officer came to him and asked him his name. PIC said that he told the Officer his name was " officer then went to someone else and asked another PIC what his name was. The officer then came back to PIC and told the PIC that he is not getting any more explained that he got upset and haircuts. PIC "spit on the floor" but also explained that he was in mittens. said that the Officer told him to "spit on him, PIC which he did" and after he did, the Officer punched him in the facial area. PIC further explained that he had leg shackles on, along with the restraints and that he was not stated that he felt it was "retaliation a threat. PIC for an incident that happened a few days ago."

A review of SECURUS revealed that PIC made a total of 17 phone calls between June 6, 2023, 0000 hours



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to June 10, 2023 2359:59 hours. Specifically, between 6/7-6 /9/23, the day of and two days after the UOF incident, PIC made (6) calls. Of those calls, (1) was determined to have been made to a female individual, where the nature of their relationship appeared to be romantic, but her name was not said/mentioned. None of the total (17) calls provided details (an additional statement from PIC ) that were relevant to this UOF neident. However, it was noted that on 6/6/23, the day before the UOF incident, PIC spoke to his father, ho stated that he (the father) was trying to contact 31 Constituent Services on behalf of PIC regarding recreation services.

#### PIC Witness statements:

On June 20, 2023, Investigator and Investigator responded to GRVC 10B to interview PIC where he verbally stated, "I did not witness anything."

on June 20, 2023, Investigator

responded to RNDC 6CS and conducted an interview with

verbally stated that PIC

verbally stated that PIC

like "two or three times." PIC

also explained that the officer was "wilding" talking to the PIC crazy and the officer told the PIC to spit on him.

On June 26, 2023, Investigator and Investigator responded to GRVC Barbershop Corridor to interview PIC which PIC verbally refused and stated, "nah."

Securus Phone Calls/ Witness PICs:

On June 7, 2023, PIC made five (5) phone calls that were not relevant to the case.

On June 7, 2023, and June 8, 2023, PIC did not make any phone calls.

Yes

Yes

No



DOC Employe Statements

- 1. Did all required DOC employee(s) submi UOF/UOF-W/UOF-Allegation Report(s)?:
- 2. Were the required reports submitted in a timely fashion?:
- 3. Did any DOC employee submit an

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Incident Report Form for the incident?:	
4. Did any DOC employee submit a Report and Notice of Infraction for the incident?:	No
If No:	A review of IIS and Inmate Reports revealed that PIC did not receive an infraction for this inc dent.
5. Did a supervisor complete the Report and Notice of Infraction Investigation?:	N/A
6. Was a disciplinary hearing held for the infraction?:	N/A
7. Was a Hearing Report and Notice of Disciplinary Disposition form completed?:	N/A
8. Was there any evidence of collusion among DOC employee(s) reports?:	No
9. Were all involved DOC employee(s) made the subject of an MEO-16 interview(s)?:	No
If No or N/A:	Officer and Officer were made the subjects of MEO-16 Interviews. Officer and Officer would have been made the subject of an MEO-16 Interview, but there were scheduling conflicts that impeded moving forward with the interview. Officer was not made the subject of an MEO-16 Interview as he was suspended from duty effective on June 7, 2023, for ten (10) days.
10. Were all witness DOC employee(s) made the subject of an MEO-16 interview(s)?:	No
If No or N/A:	See above.
11. Were MEO-16 inter iew statement (s) somewha onsis ent with submitted re ort(s)?:	Yes
If No:	Officer MEO-16 Interview and her submitted Use of Force Witness Report were not consistent with each other. Officer reported that she witnessed PIC spit in Officer face, but during the MEO-16 interview she explained that she did not actually see the spit occur but saw spit on Officer facial area after she moved him away from PIC continued to spit and make threats, but when shown the BWC, she testified that when

spitting.

staff asked for a spit mask, she believed the PIC was still

spitting, but did not actually see or hear PIC

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- 12. Did any other individual(s) (visitors, teachers, etc.) submit a report?:
- 13. Were any other individual(s) (visitors, teachers, etc) interviewed?:

Summary of DOC Employee Statements:

No

No

#### Staff Reports:

On June 7, 2023, Officer submitted a UOF report, in which he reported that he asked PIC his name, when the PIC provided a false name. When explained that acting in that manner will result in it being his last haircut, PIC aggressive and spat on the floor. Officer also reported the spat at the Officer's facial area with our provocation causing the officer to lunge forward attempting to strike PIC with his right arm in the upper body chest area but did not make contact. Officer stated that his right arm went over the PIC's body which made contact with the barbershop chair. With the momentum from the lunge, it pushed the PIC down in the barbershop chair as Officers and secured PIC to the ground. Officer did not report that he continued to strike down at the PIC while he was in the chair.

On June 7, 2023, Officer submitted a UOF report in which he reported that he and began to remove PIC Officer and secure him in mechanical restraints with Officer when asked the PIC his name and PIC gave a false name. When asked a second time PIC gave his proper name. Officer reported that Officer said, "I am writing you a ticket" and as he was trying to restrain the PIC's right wrist he began yelling at Officer when the PIC spat. When PIC attempted to spit again, Officer reacted with "force" causing Officer , Officer and PIC to fall on the chair and then to the floor. Officer also reported that Officer assisted with bringing PIC to his feet and securing the spit mask on the PICs head. Officer report is vague and does not accurately detail the force used to include the level of force that was used and to which part of the body force was employed.

On June 7, 2023, Officer submitted a UOF report in which he reported that he along with Officer and Officer pedigreed the remaining PICs when PIC gave a false name.

Officer reported that Officer asked a second



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time and PIC gave the correct name. Officer then reported that PIC said, "I will spit in your face", when Officer told the PIC not to do so, the PIC then spat on the floor. PIC again striking Officer in the facial area. Officer immediately lunged his right hand towards PIC but PIC slid back and landed in the chair. Officer and Officer Officer secured PIC to ground where he continued to make threats and be aggressive. When PIC assisted to his feet, he swung his head back and forth in an aggressive manner where he was secured to the wall as placed a spit mask over the PICs head. Officer Officer | report was vague and did not report the level of force, specifically to include whether contact was made and to which part of the body Officer employed force on PIC Officer submitted an incomplete Use of Force Report.

On June 28, 2023, Investigator and conducted a MEO-16 interview Investigator with Officer . Officer testified that during the incident he was standing on the left side of Officer and that he saw both times that the PIC spat. Officer was unaware of where the second spit landed on Officer but it was either his facial area or upper body. Officer also testified that PIC false name and that there was no prior conversation between and PIC regarding retaliation for a prior Use of Force that the PIC was involved in. Lastly, Officer testified that he observed Officer attempting to strike PIC when he lunged, but Officer hit the chair and not the PIC.

On June 7, 2023, Officer submitted a UOF report in which he reported he was in the process of placing the mittens on PIC hand when Officer asked the PIC his name and PIC gave the wrong name. when PIC was asked a second time he responded with the correct name. PIC became aggressive and started arguing with Officer and said, "I will spit on your face" and spat on the floor right away. then gathered the cough and saliva and spat in the direction of Officer facial area when Officer simultaneously threw a right-hand strike towards PIC facial area. Officer Officer Officer secured PIC to the floor when PIC dropped on his back and faced upward. The PIC's position was changed, and he was secured facing downward. PIC was still twisting and turning his



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body as Officer secured his right arm and upper body. Spit mask was applied, and PIC was assisted to his feet, when the PIC tried to take off the spit mask, when the spit mask was pulled down and the PIC was secured against the cabinet inside the barbershop.

On June 7, 2023, Officer submitted a UOF report in which he reported that he en red the barbershop when he observed Office and Officer on the ground attempting to secure PIC . Officer assisted PI to his feet when Officer handed him a spit mask and he placed it over the PICs head while providing upper body control holds. Officer submitted a Use of Force Report that utilized generalized descriptions of the force used when he guided the PIC towards the locker.

On June 7, 2023, Officer submitted a UOFW report in which she reported that she was close by barbershop worker when she heard PIC give Officer a false name. PIC became irate, and she heard the PIC stating that he will spit in the Officers face. Officer observed PIC spit in Officer face striking him in the facial area as Officer immediately advanced towards PIC with his right arm raised in a striking gesture. Officer reported that when PIC was secured to the ground he continued to spit and make threats. Officer also reported that due to her line of sight she was unable to see if the strike that threw, struck the PIC.

On June 28, 2023, Investigator and Investigator conducted a MEO-16 interview with Officer During the MEO-16 interview Officer provided a false testified that PIC name to Officer Officer also testified that PIC spat on the floor once, but she did not see the PIC spit again; she later saw spit on Officer facial area. Officer also testified that she did not see PIC continue to spit when staff secured him to the ground.

On June 7, 2023, Officer submitted a UOFW report where Officer reported that she was walking down the school corridor towards the gym.

On June 7, 2023, Officer submitted a UOFW report where she reported that when she entered the barbershop PIC was secured to



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ground. Officer exited the barbershop and when she returned to the area PIC was escorted out of the barbershop.

on June 7, 2023, Captain submitted a UOFW report in which she reported that PIC was being secured to the floor when she instructed Officer to place the spit mask the PIC's head and to elp PIC to his feet. Captain also reported the total attempted to take the spit mask off at which me Officer guided PIC to the cabinet.

On June 7, 2023, Officer submitted a UOFW report in which he stated that he was inquiring about Officer being involved in a Use of Force and checking to see if he was okay. Officer reported that the barbershop door opened and ESH Security secured PIC to the wall.

On June 7, 2023, Officer submitted a UOFW report in which she stated that she responded to the area to assist staff and upon the barbershop door opening staff members were escorting PIC into the corridor. When PIC began resisting staff that guided him to the wall by the barbershop magnetometer.

On June 7, 2023, Officer Officer Officer submitted UOF/UOFW reports in which they reported that upon entering the barbershop they observed PIC in restraints actively resisting DOC staff. Officer and Officer took over escorting PIC when he began actively resisting staff and they secured him to the corridor wall by reestablishing a proper escort hold. Officer then took over the escort with Officer where they escorted PIC to the Mini Clinic without further incident.

on June 7, 2023, Captain submitted a UOFW report in which he reported that he observed PIC being secured by DOC staff when he instructed his officer to take custody. Captain reported that he instructed staff to take PIC by the arms and secure him to the barbershop wall.

On June 7, 2023, Officer submitted a UOFW report in which he reported that he was standing outside of the barbershop when PIC was taken out of the barbershop in cuffs and secured to the wall.

On June 7, 2023, Officer



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submitted a UOFW report in which he did not use force nor witness any force being used on PIC On June 7, 2023, Officer submitted a UOFW report in which he reported that he heard that a Level B was called in to the barbershop, so he walked towards the barbershop where he observed PIC actively resisting escort holds and acting in an a gressive manner. He observed Officer secure PIC to the wall. On June 7, 2023, Captain submitted a UOF report in which she reported that she witnessed PIC being escorted out of the barbershop with a spit mask on. Yes Yes No Yes No refused to sign medical (HIPAA) forms. No See above. No N/A N/A No

Generated on: September 11 2023

Medical - Inmate(s)

attention?:

etc.)?:

(s)?:

If No:

If No:

hospital, etc.)?:

exposure etc. ?:

Medical - Staff

the incident?:

afforded medical attention?:

1. Were all participant inmate(s)

2. If received, did the participant

inmate(s) receive prompt medical

3. Did the participant inmate(s)

receive medical attention outside of the facility(Urgent Care, hospital,

4. Was the injury to inmate report(s)

obtained for the participant inmate

5. Were medical records obtained for

6. Did the participant inmate(s) ign

7. Were any other inm te(s) afforded

medical at ention (ch mical agent

8. If received, did he other inmate(s)

1. Were any DOC employee(s)

afforded medical attention following

re eive promp medical attention?:

9. Was the in ury to inmate report(s)

obtai ed for he other inmate(s)?:

medical release (HIPAA) forms?:

(HHC,

the participant inmate(s)

however, Officers and

submitted for these injuries.

## UOF ID Number: 2893/23 Page 51 of 118

2. If received, did the DOC employee (s) receive prompt medical attention?

No

No

No

If No:

3. Did the DOC employee(s) receive medical attention outside of the facility? (Urgent Care, hospital, etc.):

4. Was the staff medical treatment form(s) obtained for DOC employee (s)?:

If No:

- 5. Were medical records obtained for the DOC employee(s) (hospital, etc.)?:
- 6. Did the DOC employee(s) sign medical release (HIPAA) forms?:

If No:

Summary of Inmate and DOC employee injuries (Include time of medical treatment):

ID did not request staff to sign medical (HIPAA) forms. On June 22, 2023, Officer from Health Management Division reported that Officer did not report in sick, were not seen by HMD, and did not file any Worker's Compensation claims as a result of this incident.

According to COD there were no staff injuries reported,

Use of Force Report. No medical documentation was

claimed injuries on their

N/A

No

See above.

PIC Injuries:

According to the Injury Report (FY36/1214) on June 7, 2023, PIC received medical attention at approximately 0830 hours. PIC refused medical attention and had no visible injuries. Medical staff noted that PIC was alert, ambulatory, not in distress, and able to return to the housing area.

Staff injuries:

According to COD there were no staff injuries reported, however, Officer claimed injuries on his UOF Report to his right hand. Officer claimed injuries on his UOF Report to a sprain on his right ankle and swelling on his right toe. No medical documentation was submitted for these injuries.

Yes

No

Pho ographs

1. Did the facility take photographs of the participant inmate(s)?:

2. Were there any issues regarding the participant inmate(s) photographs taken by the facility?:

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- 3. Did the facility take photographs of DOC employee(s)?:
- 4. Did the facility take photographs of the area of incident/alleged incident?:
- 5. Did the ID take photographs of the participant inmate(s)?:

If No:

- 6. Did the ID take photographs of DOC employee(s)?:
- 7. Did the ID take photographs of the area of incident/alleged incident?:

If No:

#### Other Evidence

1. Were any other relevant document (s) obtained that were not obtained during the Prelim?:

If Yes:

- 2. Was an OCME consult obtained?:
- 3. Were the participant/witness inmate (s) telephone recordings obtained and reviewed?:

If Yes:

- 4. Were the participant inmate(s) adjudication hearing(s) listened to?:
- 5. Were any other investigative actions taken?:

If Yes:



No

No

PIC refused to have his photographs take

No

No

Genetec video surveillance was sufficient for this investigation.

Yes

Obtained the Barber Shop sign-in sheet to identify witness PICs that were present in the area at the time of the incident.

No

Yes

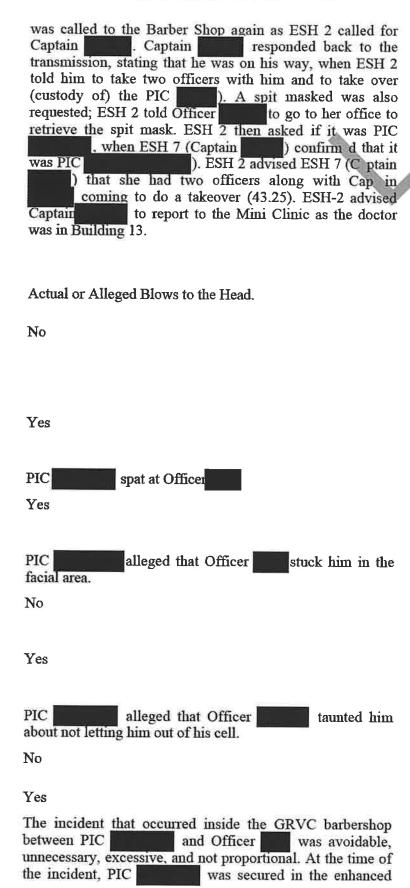
See Inmate Statements.

No

Yes

- 1. Identified three (3) witness PICs that were in the barbershop during the incident and attempted to/ conducted an interview of them.
- 2. Reviewed the facility's Legal Schedule to identify the " named in the complaint.
- 3. Conducted a review of Genetec Video on June 6, 2023, and June 9, 2023, to address non-UOF allegation that Officer was taunting PIC negative findings.
- 4. Reviewed the GRVC Facility Radio Transmissions from 0700-1000 hours to identify the notification to the facility regarding this incident. The review of the radio transmissions revealed that there was a notification of a disruption coming from the Barber Shop ( called/radioed in to be a Level B alarm activation (42:00 minutes into the audio file) for a Use of Force. A Level B

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Issue(s)

1. Why was this incident made into a full ID investigation?:

- 2. Were there any other FULL ID criteria revealed during the investigation that were not mentioned during the Preliminary Review Process?:
- 3. Are there any issue(s) that are Undisputed between the participant inmate(s) and DOC employee(s)?: If Yes:
- 4. Are there any issue(s) that are Disputed between the participant inmate(s) and DOC employee(s)?:
  If Yes:
- 5. Did the participant inmate(s) make any other allegati (not UOF) against any DOC employee?:
- 6. Did any w tness inma e(s) make any other allegation (no UOF) against any DOC employ e?: If Yes:
- 7. Was t e UOF allegation substantiated?
- 8. Wa the i cident avoidable?:

If Yes or No:

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restraint set up with security mitts and leg irons. While PIC was sitting in the barbershop chair, he and Officer conversed. When PIC was assisted to his feet by Officer and Officer Officer Officer and PIC continued to converse. Based on Genetec video, PIC spat on the floor in the direction of Officer Officer and PIC continued to onverse, when the PIC opened his mouth and spat toward fficer again. Officer lunged forward and threw a st ike towards PIC facial area. PIC back into the barber chair, then Officer threw another downward strike toward PIC body area. Due to means of egress from being spat on, this incident was avoidable. Instead, Officer unnecessary, and high impact force toward PIC who did not pose an imminent threat as he was completely secured in the enhanced restraint setup and was in the physical custody of Officer The force used by Officer Officer , and Officer when they took PIC down to the ground was necessary as PIC begin to resist staff by moving /shrugging his upper body. PIC was assisted to his feet with the applied spit mask placed over his head. Based on staff reports and Genetec video, PIC moved his head around in an attempt to remove the spit mask as he continued to resist staff. As staff tried to gain compliance and secure PIC to the locker, the PIC lowered his head when staff guided him forward, which causing the PICs head to hit the locker twice. PIC was secured to the locker so that staff could reassert their control holds and re-secure the spit mask which was necessary. Simultaneously, Officer captured on Genetec video with his forearm pressed on the PIC's upper back area momentarily, before he readjusted his arm placement. PIC was escorted out of the Barber Shop by Officer PIC began to resist staff again as he twisted and turned his body, at which point, Officer used necessary force when he guided PIC to the corridor wall and readjusted his escort hold to gain compliance.

9. Was the UOF necessary?:

If Yes or No:

10. Was the orce used proportional to the hrea posed?:

If Yes or No:

11. Was the UOF excessive?:

If Yes or No:

No

See above.

No

See above.

Yes

See above.

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12. Was the UOF anticipated?:

No

If Yes or No:

See above

13. Were there any findings not consistent with the preliminary investigation?:

No

14. Was the UOF/UOF Allegation reported to the COD within 1 hour?:

Yes

15. If not, is there a plausible explanation?:

No

16. Was any chemical agent dispensed during the incident?:

No

17. If so, were there any issues regarding the dispensing (too close, retaliatory, etc.)?:

N/A

18. Were there any other procedural violation(s)?:

Yes

If Yes:

Analysis of Evidence:



The facility failed to document/record whether PIC later refused REC services after he was initially recorded on ESH REC handheld video, stating that he wished to participate in the services. A facility referral will be generated to address this deficiency. Officer was observed on BWC video donning unauthorized gloves. A facility referral will be generated to address this deficiency.

Based on review of evidence which included staff reports, medical documentation, Genetec video, IIS, Securus phone audio, PIC Statements, Body Worn Camera video, and MEO-16 Interviews, on June 7, 2023, at approximately 0825 hours at the GRVC Barber shop, PIC the barber chair when Officer and Officer approached him and began to secure PIC enhanced restraint/security mitts. The PIC was already restrained in leg irons. Officer and Officer entered the barbershop and began conversing with the PIC. As Officer conversed with PIC Officer and Officer assisted PIC to his feet. Based on staff reports, Officer asked PIC for his name, but the PIC gave a false name. Based on several staff reports, PIC then gave his correct name, but the PIC Officer behaved in an irate manner and spat on the floor, which was consistent with Genetec video surveillance. While PIC and Officer conversed back and forth, Officer was positioned on the left side of Officer with a clear and unobstructed view of the events in front of him. Officer was behind Officer with a partially obstructed view, while she conversed with PIC and was looking away from the

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verbal exchange between Officer at the time. Officer and Officer were each positioned at PIC sides with clear and unobstructed views as they looked in the direction of and PIC Through staff interviews and an additional video review, it was determined that PIC spat again, and in the direction of Officer At which point, Officer inefficiently prefo med his duties when he used unnecessary, excessive, an high impact force on PIC who was mechanic lly restrained, violating the Use of Force Directive 5006R-D; when he lunged forward and threw a strike to the PIC's facial area which caused the PIC to fall back into the barber chair. Genetec video then captured Officer another downward striking motion toward PIC upper body area. As per Directive 5006R-D: in a situation where a staff member or other person is in imminent danger or death, where lesser means are impractical or ineffective, staff may use any necessary means readily available to stop or control the situation. Since PIC was properly secured in the enhanced restraint setup, and was in the physical custody of Officer the PIC did not pose an imminent threat of serious injury or death. In addition, had a means of egress to create space from the Officer PIC. As such, Assistant Commissioner made Officer a subject of a suspension effective June 7, 2023, for ten (10) days under Memorandum of Complaint # 927/23. The facility generated MOC was accepted by the Trials Division on 7/6/23. The MOC only contained applicable Rules and Regulations. Therefore, ID will submit an amended MOC to include the violations of Directive 5006 R-D.



A review of Officer summitted report revealed that his report was also inconsistent with Genetec video as he reported that to avoid being further assaulted by the PIC, he threw a strike that did not make contact with PIC but that he hit the chair instead. Based on the statement obtained from PIC Officer struck PIC | in the face. This was also corroborated by Officer report, who based on video evidence, had a clear and unobstructed view of the events, and reported that Officer struck PIC in the facial area. In his statement to ID, PIC (PIC Witness) stated that the in the facial area. In his officer "decked" the PIC "two or three times," who also had a clear and unobstructed view of the incident, thus corroborating PIC statement. Based on the preponderance of evidence, it has been determined that submitted a false/misleading Use of Force Report as he failed to accurately describe the incident in its entirety and will be charge accordingly for violating

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Directive 5006R-D and the Rules and Regulations.

Officer intervened and pulled and Officer Then, Officers away from PIC used force that was , and necessary, and in accordance with Directive 5006R-D when they took PIC down to the floor to cease his level of active resistance as he braced/tensed his body so that staff could not gain control of him. While on the floo PIC landed on his back, and was facing towards the staff, as such, Officers continued to use the necessary amount of force to reassert their control of the PIC, turning him onto his stomach, which was consistent with their staff reports. While on the floor, Officer applied a spit mask over PIC head, and the PIC was assisted to his feet by Officers , and Captain oversaw. PIC continued to actively resist staff as he moved his head from side to side. Based on staff reports, PIC attempted to remove his spit mask by moving his head from side to side. At which point, Officers used force that was necessary when they guided PIC towards the lockers to gain compliance and resecure the spit mask. Genetec video revealed that PIC was lowering his head simultaneously as staff placed him against the locker. According to Directive 4522 R-B (Restraints), VI.E.2.E. When using Handcuffs, Leg Restraints, and Waist Restraint Systems, officers shall: Remain alert for sudden or unexpected movement by the PIC. As a result, the staff should have exercised caution when securing the PIC against the locker. Simultaneously, Officer was also observed with his right forearm pressed on the PIC's upper back area momentarily before he readjusted his escort hold on the PIC. It is recommended that Officers and receive Documented Counseling regarding these violations.

As PIC was being escorted out of the Barber Shop by the staff, Officer assumed custody of the PIC, and escorted the PIC into the corridor. PIC actively resisted being escorted, at which point, Officer used the necessary amount of force when he was guided the PIC to the wall. PIC was then relinquished to Officers and who escorted him to the Mini Clinic with Captain which terminated the incident.

According to Directive 5006 R-D, staff reports are required to include "a detailed description of the Use of Force Incident, the events preceding the Use of Force Incident



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including any attempts to de-escalate the situation and avoid the Use of Force, and the reasons for engaging in the Use of Force. Specifically, Staff Members should describe the Inmate's demeanor and the manner of resistance presented by the Inmate throughout the event. All reports must include a detailed description of the physical resistance exhibited by the Inmate; the type and level of force used by the Staff Member writing the report and by all other Staff who used force; whether any Staff used instruments or weapon and if so, a description of the circumstances that led to their se; and a description of the nature and extent of any visible or apparent injuries sustained by Inmates, Staff, or others." A review/analysis of the staff reports, and video surveillance revealed the following: Officer submitted report was vague/incomplete as he failed to describe, in detail, the force used in its entirety, based on his individual line of sight, which at the time, was a clear and unobstructed view of Officer actions. Therefore, Officer be made the subject of a Memorandum of Complaint violating the Use of Force Directive 5006R-D. A review of ubmitted report was inconsistent with Officer Genetec video based on his individual line of sight. It has been determined that Officer submitted a false /misleading report as he failed to accurately document the force that Officer used by falsely reporting that the officer struck the chair. During his MEO-16 Interview, he provided false testimony by reiterating that Officer struck the chair. As such, Officer will be made the subject of a Memorandum of Complaint for violating the Use of Force Directive 5006R-D and the Rules and Regulations. Additionally, a review of Officer submitted report was inconsistent with the video surveillance. Officer reported that she observed spit toward Officer PIC and again observed the PIC continuously spitting while on the floor. During her MEO-16 Interview, Officer testified that she did not actually observe PIC spit on Officer but she observed the spit on the officer when she removed Officer from the incident. Officer also testified that she did not observe the PIC continuously spit while he was on the floor, but believed the PIC was still spitting as staff asked for a spit mask. It is recommended that Officer receive UOF Report writing retraining to re-instruct her on reporting requirements based on her own, independent knowledge and observation.

It should be noted that Genetec video surveillance captured Officer in possession of a BWC; however, he did not activate the device once the interaction with PIC became adversarial (prior to the UOF incident)



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as per Operation Order #1/22. Therefore, a Request for Retraining in BWC has been generated for Officer because he did not immediately activate the camera when it was practical. He did activate the BWC during the UOF incident, which then captured the staff rolling the PIC onto his stomach, and the events thereafter. Based on review of Genetec video, Officer report was consistent in documenting that Officer stuck the PIC and based on his individual line of sight.

During an interview conducted on June 13, 2023, PIC stated to the Investigation Division that Officer struck him in the facial area. A few days prior, on June 10, 2023, a third-party 311-complaint pertaining to PIC was filed, where it was alleged that he was involved in an incident with "Officer who antagonized the PIC by instructing the PIC to spit which he did. The complaint also alleged that PIC punched in the face while the PIC was secured. The complainant also stated that PIC has not been provided clean clothing, allowed out for one (1) hour and that while on the phone with her son, an "Officer taunted him by not letting him out of his cell. However, the Officer that struck PIC was Officer Officer as the complainant alleged. Based on a review of PIC classification status, he is currently housed in a restrictive housing unit 15A at GRVC ("Level 1" Enhanced Supervision Housing (ESH)) where the PICs are allowed time out of their cells for four (4) hours, each day for programming. If the PICs decide not to participate in programming, they are allowed one (1) hour of recreation and one (1) shower each day, in accordance with the Enhanced Supervision Housing (ESH) Directive 4491.

Regarding the portion of the complaint involving "Officer ", ID reviewed the facility's Legal Schedule to identify the "Officer " named in the complaint. The review of facility records revealed that Officer was assigned to the facility on the 1300 hours x 2100 hours tour. The officer's schedule further revealed that his pass days (days off) were June 7, 2023, and June 8, 2023, indicating that the officer did not have a physical interaction with the PIC on those days. As a result, video surveillance from June 6, and June 9, 2023 were reviewed. The facility failed to document/record whether later refused REC services after he was initially recorded on ESH REC handheld video, stating that he wished to participate in the services. A facility referral will be generated to address this deficiency.

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On June 8, 2023, video surveillance showed that after PIC returned from Court, he was secured in the Intake for approximately three (3) hours, which was not an excessive length of time, as alleged. In addition, the review of PIC phone calls revealed that PIC was not overheard discussing the details of this incident. It was noted upon a search of Visitor Express, that on June 9, 2023, PIC had an in-person visit with a female visitor by the name of Based on this information, it is plausible that the PIC provided details of this use of force incident to Ms. in-person, and she relayed the information to the PIC's relative, who then filed the 311 Complaint on 6/10/23. Through a review of video evidence, database searches and facility documentation, the non-UOF allegations made in the 311 Complaint are unsubstantiated.
The investigation concluded that Officer used unnecessary and excessive force on a restrained PIC, in violation of UOF Directive 5006 R-D. Officers , and submitted either false, inaccurate /incomplete and/or misleading UOF Reports regarding Officer actions during the incident. Officer also provided false/misleading MEO testimony. For these violations, they will be made the subjects of a Memorandum of Complaint. Lastly, will be the subjects of a Documented Counseling to address the deficiencies noted during escort/ re-securing of the PIC's spit mask while against the lockers. Officer will also receive retraining BWC policy/requirements., and Officer will receive retraining in reporting writing requirements. Lastly, the facility failed to document/record whether PIC later refused REC services after he was initially recorded on ESH REC handheld video, stating that he wished to participate in the services. A facility referral will be generated to address this deficiency.
Closed with Charges - Facility Referral
Completed
Jun 20 2023 7:32AM
Jul 18 2023 4:13PM

Conclusion and Recommendations:

Investigation Findings:

Status:

Created By:

**Created Date:** 

Updated By:

**Updated Date:** 

**Deputy Warden Remarks:** 

**Summary of Staff Reports:** 

Warden Remarks:

Summary of Staff Injuries:

**Tour Commander Remarks:** 

## 

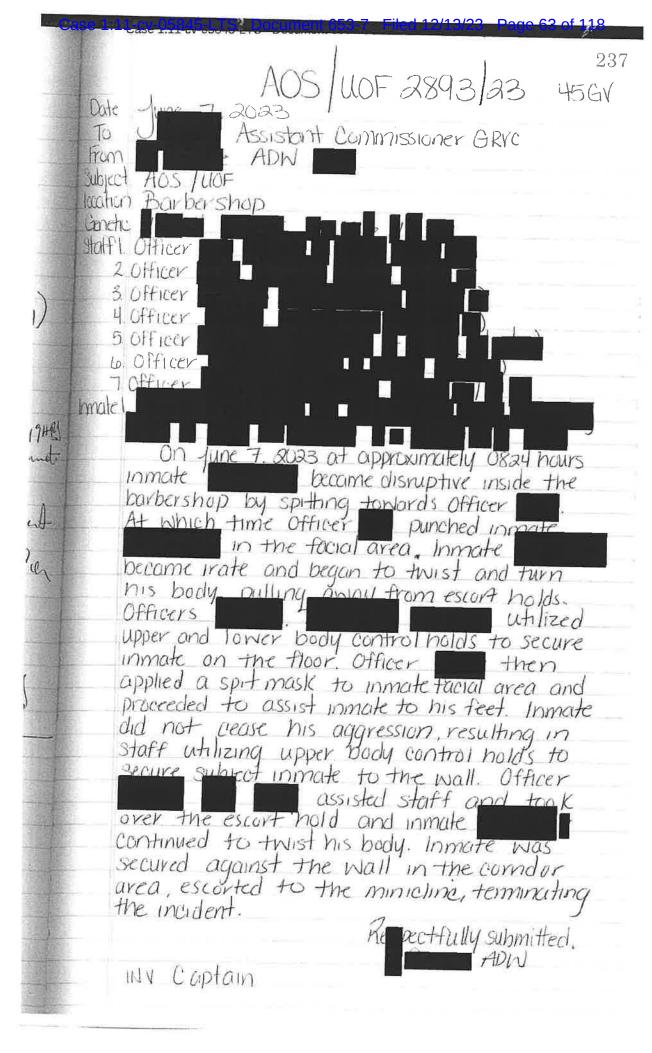
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**Inmate Medical Findings:** 

Generated on: September 11 2023

#### INTAKE SQUAD STATS AND CLOSE OUT FORM

UOF C	ase Number: 2893-23		
Investi	gator:	12.	UOF Avoidable
Superv	isor/Captain: SI		⊠ Yes
	nt Date: 6/7/23		□ No
	: GRVC	13.	Was our Avoidable/Unavoidable
racinty	. dive		assessment consistent with the facility rapid
1	What was the Intake Determination		review
	☐ Closed with MOC		⊠ Yes
	☐ Closed PDR		□ No
	☐ Closed-charges per facility MOC	14.	UOF Anticipated
	☐ Closed Command Discipline		☐ Yes
	☑ Referred to ID		⊠ No
	☐ Closed Facility Referral		□ Full ID
	☐ Closed Academy		□ N/A
	☐ Closed No Action	15.	UOF Necessary
2.	Did the Intake Investigation find any report		☐ Yes
	writing issues		□ No
	☐ Yes		Full ID
	⊠ No		□ N/A
3.	Did the UOF result in an Injury	16.	UOF Excessive
	☐ Yes		☐ Yes
	⊠ No		□ No
	☐ Unknown		
4.	What was the Injury Class		□ N/A
	□ A	17.	Was there a Handheld/Body Camera
	□ в		Violation
	□ c		☐ Yes
5.	Was the Inmate Injury Report consistent		⊠ No
	with Staff Report	18.	Was there a Chemical Agent Violation
	⊠ Yes		☐ Yes
	□ No		⊠ No
6.	Was this an Alleged Use of Force (If no, skip		☐ Full ID
	question 7)	19.	Were Staff injuries reported to COD (If no,
	☐ Yes		skip question 20)
	⊠ No		☐ Yes
7.	Was the Allegation Substantiated		⊠ No
	☐ Substantiated	20.	Was Staff Injury consistent with Staff Report
	☐ Unsubstantiated		☐ Yes
	☐ Unfounded		□ No
	⊠ Full ID	21.	Did Rapid Review Recommend Action
8.	UOF Cause (If Applicable)		⊠ Yes □ No
٥.	☐ Still Fire	າາ	
	☐ Inmate on Inmate	22.	Did the Facility initiate a Command Discipline
	☑ Violating Direct Order		☐ Yes
	☐ Denial of Minimum Standards		⊠ No
			□ N/A
	☐ Escort Hold/Technique	23.	UOF Policy Violation
	☐ Suicidal Ideation		Yes - Substantitive
9.	Was Medical Attention provided within 4		
	Hours		□ Both
	⊠ Yes		□ No
	□ No	24.	Where did the UOF initiate
10.	Was there an Inappropriate Head Strike		□ Intake
	☐ Yes		☐ Corridor
	□ No		☐ Clinic
	☑ Undetermined		□ ESH
11.	Was there Retaliation		□мо
	☐ Yes		□ GP
	□ No		Other
	Full ID	25.	Time UoF Incident Occurred
	□ N/A		☑ 0700-1500
			<u> </u>
			□ 2300-0700
			☐ Time Unknown



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#### CITY OF NEW YORK CORRECTION DEPARTMENT

George R. Vierno Center



## **Incident Photo**

Type of Incident: UOF ☑ COD ☐ Other ☐	Date & Time of Incident: 06/07/2023 08:24
UOF #: 2893/23 - P Incident Status: Actual	NYSID #:
First Name:	Book & Case #:
Last Name:	Inmate   Staff □ Other □

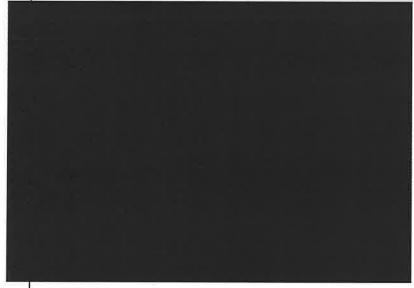


Photo Date: 06/07/2023
Photo Taken By: Captain Investigating Supervisor: Captain

Photo Description: Other-Refusal

## Case 1:11-cv-05845-LTS Document 653-7 Filed 12/13/23 Page 65 of 118 Case 1:11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 65 of 118



Type of Incident:

UOF

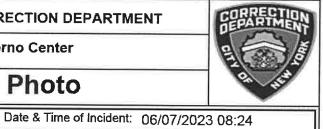
COD

☐ Other ☐

## CITY OF NEW YORK CORRECTION DEPARTMENT

George R. Vierno Center

## **Incident Photo**



UOF #: 2893/23 - P Incident Status: Actual	Shield #:			
First Name:	Book & Case	#:	N/A	
Last Name:	Inmate 🗖	Staff	☑ Other	

Photo Date: 06/07/2023

Photo Taken By: Captain Investigating Supervisor: Captain Photo Description: Front

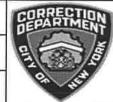
Photo Date: 06/07/2023

Photo Taken By: Captain Investigating Supervisor: Captain Photo Description: Other-Injury



#### CITY OF NEW YORK CORRECTION DEPARTMENT

George R. Vierno Center



## **Incident Photo**

Type of Incident: UOF ☑ COD ☐ Other ☐	Date & Time of Incident: 06/07/2023 08:24
UOF #: 2893/23 - P Incident Status: Actual	Shield #:
First Name:	Book & Case #: N/A
Last Name:	Inmate ☐ Staff ☒ Other ☐





Photo Date: 06/07/2023

Photo Taken By: Captain Investigating Supervisor: Captain Photo Description: Other-Injury Hand



## CITY OF NEW YORK CORRECTION DEPARTMENT

George R. Vierno Center

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## **Incident Photo**

Type of Incident:	UOF	Ø	COD		Other			Date &	Time of	Incident:	06/0	7/2023	08:24	
UOF#: 2893/23 - F	)	Inc	ident St	atus	Actua	1		Shield #	:					
First Name:							T	Book & t	Case #		N/A			
Last Name:								Inmate		Staff	<b>×</b>	Other		



Photo Date: 06/07/2023

Photo Taken By: Captain Investigating Supervisor: Captain Photo Description: Other

Photo Date: 06/07/2023
Photo Taken By: Captain
Investigating Supervisor: Captain
Photo Description: Other-Inury

Photo Date:

Photo Date: 06/07/2023
Photo Taken By: Captain Investigating Supervisor: Captain Photo Description: Other-Injury #1



# NEW YORK CITY DEPARTEMENT OF CORRECTION <sup>(1)</sup>



## INVESTIGATION DIVISION

#### INMATE VOLUNTARY STATEMENT FORM

Date: 6 20 23	Time Interview Started:
Location of Interview (Facility	(Area): GRVC IDD
Inmate Name:	
Inmate Book and Case Number	r:
Inmate DOB:	Inmate Cell/Bed Assignment:
Correction Investigation Divis and that no one has threatened	ade the following statement to the New York City Department of ion voluntarily and of my own free will without promise or hope of reward me in any way to provide this statement.
In accordance with Departmer form of retaliation for providing City Department of Correction	ntal Directive 5006R-D (Use of Force), you will not be subject to any ng information in connection with this investigation by the New York
I m tement to Invest , Shield #	tigget and Investigator
PIC Stated	" I Didn't witness anything".
**************************************	
	AND THE RESERVE OF THE PARTY OF
<u> </u>	
Inmate Signature:  Investigator Witness:	Date: 6/20/23 Time: Date: 0/20/23 Time:
Investigator Witness:	Date: 6/20/23 Time:
Page of	

Case 1:11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 69 of 118



# NEW YORK CITY DEPARTEMENT OF CORRECTION 🌑



## INVESTIGATION DIVISION

#### INMATE VOLUNTARY STATEMENT FORM

	Date: 6 20 23 Time Interview Started: 1206 PM
	Location of Interview (Facility/Area): RNOC 65
	Inmate Name:
	Inmate Book and Case Number:
	Inmate DOB: Inmate Cell/Bed Assignment:
	I hereby acknowledge that I made the following statement to the New York City Department of Correction Investigation Division voluntarily and of my own free will without promise or hope of reward and that no one has threatened me in any way to provide this statement.
	In accordance with Departmental Directive 5006R-D (Use of Force), you will not be subject to any form of retaliation for providing information in connection with this investigation by the New York City Department of Correction.
	I made this statement to Investigator Shield #, Shield # and Investigator
-	gave proper but name
	Officer "decked" nim like two-three times
	Officer told to splt on him.
	Officer was "NICIIN' fairing to the PIC
	almost spit on nim (other PIC)
	Inmate Signature: Investigator Witne  Date: $\frac{U 20 23}{ 20 23}$ Time: $\frac{ 222 }{ 222 }$ Investigator Witne  Date: $\frac{6 20 23}{ 222 }$ Time: $\frac{ 222 }{ 222 }$
	Pageof

#### 

# New York City Department of Correction Investigation Division

**Detailed Investigative Action** 

Investigators:
Report date: 06/20/2023
UOF:2893/23

On June 13, 2023, at approximately 1051 hours Investigator and Investigator went to GRVC housing area 15A and conducted a BWC interview with PIC explained that he was in the barbershop getting a haircut when the officer came to him and asked him his name. PIC said that he told the Officer his name was the officer then went to someone else and asked another PIC what his name was. The officer then came back to PIC and told the PIC that he is not getting anymore haircuts. PIC explained that he got upset in spit on the floor but also explained that he was in mittens. PIC said that the Officer told the PIC to spit on him, which he did and after the PIC did that the Officer punched him in the facial area. PIC further explained that he had leg shackles on, along with the restraints and that he was not a threat. PIC stated that he felt it was retaliation for a incident that happened a few days ago.

(AR)	COF	RECTION DEP	ARTMENT	manage was a section.	
	INMATE VOLUNT	CITY OF NEW TARY STATEMI	The same of the sa	čorm: IV3-1 Eff.t. 1/24/19	
ima e:			Date:	u-7-23	
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te's Signature:	to sign		Date:	17/23	
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(12)		CORRECTION DEPA	ARTM ORK	ENT		
Wey	INJURY	TO INMATE REPORT		Page 2	Form; #167R-A Rev.: 10/3/19	
INST	RUCTIONS: Original R	eport to Security. One copy to Clini	t Lock bir		Ref.: Dir.:#4516R-D	
	10.50				an annual Areticul F.	ue.
Injury # FY23-1		NYSIQ <sub>4</sub>	Bi	ouk & Case/	Sent:#1	
16'RK COMPLETED	BY THE INVESTIGATOR	OFFICER PLEASE PRINT CLEARL:	Y			
Investigator's ]	Report: On, Wedi	neśday, June 7, 2023, at a was involve	pproxin d in an	nately 08 Use of	25 hours, Inmai Force with DOC	të E staff∵in the
		ury: Said inmate was presen noted the following on the tambulatory, no distress & r			re he was medica Report #1214-F	lly evaluated Y23: patient
Treatment: Refu	sed					10
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tesulted From: nvestigating Officer (Sign	Force Description	Alterentian Inflicted		Öŋrayerdigi		_1-1-41-E1-E-144-W
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four Commander's Review Based on the	e Investigative Captal	ia's findings, medical evalua				- Maring (2012)
written state	ment. I concur with	the above.	aron and	1 SHIG THE	nte s refusal to p	rovide a
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our Commander's 15 ou	lugg):	Rank/Title: Ao W	Shi	ield/ID#:	Date:	
epety. Worden's Review:					04.01	2252
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# New York City Department of Correction Investigation Division

Detailed Investigative Action NYCDOC Phone Calls –	
Investigator: Inv.  Case: U2893/23  Report date: June 20, 2023	
PIC got on the phone with an unidentified female, and they spoke about his job in the barbershop and the smoke from the fire that came from Canada. The conversation is not relevant to the case.	at
PIC got on the phone with the same unidentified female, they continued to have a conversation that was not relevant to the case.	
PIC got on the phone with an unidentified female, and they spoke about sending money back, the female going to the doctor and the smoke that was outside. The conversation was not relevant to the case.	
PIC got on the phone with another unidentified female, and they spoke about her coming to visit him and how the weekend visits are back. They also spoke about her new position the conversation was not relevant to the case.	
PIC got on the phone with an unidentified female, and they spoke about her weight. The conversation was not relevant to the case.	

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-70797N							, age 100		
			RRECTION DEPARTMENT FORM #5006-A-1 Eff.: 9/27/201						
WIOTEN.				E WITNESS REPORT PART A-1					
To be co or prese addition Section i	ICTIONS: PRINT ALL INFORM impleted by any member witnessing a int at the scene of a use of force. Use a al space is needed and indicate Part ar to each attached page.	use of force inciden		DID YOU USE FORCE AGAINST AN INMATE OR WERE YOU A WITNESS AT THE SCENE?  USED FORCE WITNESS/PRESENT AT THE SCENE If you used force, complete PART A, NOT this report.					
Facility: GRVC	6/7/23		Incident Time: 0825	Facility Incid	lent#:	COD	Use of Force #;	COD Unusual # if any:	
Schoo	n Where Incident Occurred: I Corridor	Barbe	signed at Time rshop	of Incident:		76ur 050	; 0x1331		
1 Did	any other inmates witness the Inc	cident?	ES NO	# YES, list #:					
	Last Name			First Name			Book and Case o	r Santence Number	
1 2									
3						+			
2 Did	you see force used against an inn	nate(s)?	ES THO	If YES, state r	name(s) of inn	nateis	) against whom fo	ree was used.	
ا لئا	Last Name			First Name		1		r Sentence Number	
1				, not runte		╁	BOOK AND Case C	r sentence Number	
2						1			
3			F						
3	e the name(s) of any other uniform	n or non-uniform	staff involved i	n or present at	t the time of th	ie incl			
1	Last Name		First Name		Rank/Title		Shield/ID Number		
2						-		Used Force Was a Witness / Present Used Force	
3					<b>*</b>		lipi	Was a Witness / Present	
A If yo	u were present before the incident was anticipated (i.e., it was appa	f began, explain la	detail the sec	uence of even	ts leading un	to the	4 4 4	Used Force Was a Witness / Present	
5 Did y	iter was not present before	as verbsi comma	nds, attempted	before force v	was used?	□ Y1	es 🖃 No	If YES, describe:	
								8_	
								1	
6 Descriyours	ribe the incident and the specific ( self):	force used (includ	ling the actions	of any staff ir	nvolved in or i	preser	nt during the Incid	ent, including	
Barbers	dnesday June 7, 2023 a shop on the 0500X1331 id not witness any Use o	tour was wa	king down	the echan	ol corridor	towa	assigned to	o the atrol. This	
			Continued on Re	verse Skip					

6 (Continued)	
To the extent applicable, Identify the name(s) of any Staff Member who authorized and N/A	d/or supervised the incident:
Identify the part(s) of the inmate's body/bodies to which force was applied and a description in the inmate:    N/A	ription of any visible or apparent injuries sustained by the
9 Were you responsible for escorting the YES NO If YES, identify the medical care and i	e approximate time the inmate was transported to receive the name of the medical provider, if known to you:
Submitted by: (Prink Last Name, Pirist Name, Rank and Shield #)	Signature:

Case 1:11-cy-05845-LTS Document 653-7 Filed 12/13/23 Page 77 of 118

				w 1 2893,	123-11-
CITY OF NEW Y				FORM #5005-A	Eff. : 9/27/2017
		RCE REPO			PART A
INSTRUCTIONS: PRINT ALL INFORMATO be completed by any member involved in a use the stackments if additional upage is, needed are information Section # on each attached page.	TION E of force incident. I indicate Part and	USED FOR	CE V	NMATE OR WERE YOU HE SCENE? WTNESS/PRESENT AT hen complete PARTA-1, N	THE SCENE
GRVC 6/7/23/2	cident Date: Incider	it i amo:   Facility Incld	ent#;	COD Use of Force	COD Unusual # if an
Barbershop	FS	at Time of Incident: H Scrover M		Tour:	× /33j
Was Supervisor notified before force wa	a used? YES [	NO If YES, write in	full NAME, R	ANK and SHIELD #:	
Which Supervisor was notified after the		NAME, RANK and SH	IIELD#:	Ti	me Notified:
State name(s) of immate(s) against whom	i force was used:				
Last Namo	First Name	BACO	Sent Numbe	r Infraicti	on Written?
2				YES	NO
Were alternatives, such as verbal comman	June 7, Leretay on His write B due ate 1955av11	c responded to inmate ive towards force was used?	大 ー	- Andread - Andr	At class
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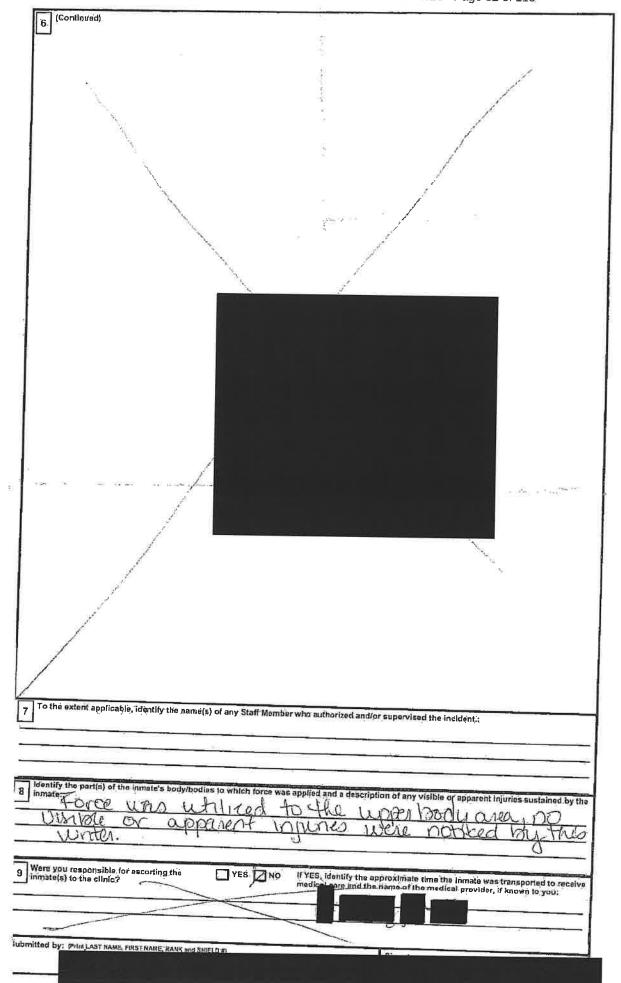
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8	identify the part(s) of inmate:	the inmate's body(les	) to which force was applied and a descript	ion of any visible or apparent injuries sustained by the
ш		11 1	was dusce ama	
-		yut aim	upper torse area.	
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9	To the extent applical	ble, Identify the name	(a) of any Staff Member who authorized and	Hor supervised the incident;
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			Captain	
10	Were any other unifor	m or non-uniform sta	ff involved in or present at the time of the li	ncident? YES NO
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on the floor immate secured the immate drop him self on his back and face upwards, to prevent Curther spit we change his position and secured him face down on his stomach was still turning and twisting his body while this writer was securing his right arm and upper body. This writer gave Soveral direct orders " Culm down . Colm down , stop moving." To stop spitting immate tous provided spit mask". After putting the music on assisted to get up on his foot i as soon as he stand up he ciltempted to pull down the spit Mask to stop Corther assault this writer pulled down the spit mask and secured against the combinet inside burber shop.

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6	Then relinguishe	d immete to	
ľ	who escorted out l	im out of Barbarshop	
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7	Explain in detail why force was necess	eary to control the education: saithing can't resecult o	n Doc stalt .
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8	Identify the part(s) of the inmate's bod	ly(les) to which force was applied and a descript	lon of any visible or apparent injuries assistined by the
_	This witer	used force on immute's	right hand and upper
9	To the extent applicable, identity the r	name(a) of any Staff Member who authorized and	.0
-	Captain f		ffer the incident-
100	Were any other uniform or non-uniform	n staff involved in or present at the time of the li	reldents Films William
10	If YES, complete the identification info	rmation and give an account of each person's a Shield/ID Number	ctions Immediately before and during the incident:  Account of Actions
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1 2 3 11	Name Rank/Title  Co  Name Rank/Title  Co  Name Rank/Title  Co  Name Rank/Title  Lest Name  Did any other inmates witness the Incidence of the	Shield/ID Number  Shield/ID Number  Shield/ID Number  Shield/ID Number  Shield/ID Number  Pres Name  YES No If YES, specify:  First Name	Account of Actions
1 2 3 11	Name Rank/Title  Co  Name Rank/Title  Co  Name Rank/Title  Co  Name Rank/Title  Last Name  Last Name  Were you responsible for escorting the inmate(s) to the clinic?	Shield/ID Number  Shield/ID Number  Shield/ID Number  Shield/ID Number  Shield/ID Number  Shield/ID Number  I YES NO If YES, specify: First Name  YES NO If YES, Identify the medical care and to the incident?	Account of Actions
1 2 3 11 12 13	Name Rank/Title  Co  Name Rank/Title  Co  Name Rank/Title  Co  Name Rank/Title  List Name  Did any other inmates witness the Incident Name  List Name  Did you responsible for escorting the inmate(s) to the clinic?	Shield/ID Number  Shield/ID Number  Shield/ID Number  Shield/ID Number  Shield/ID Number  Shield/ID Number  Pirst Name  YES No If YES, specify: First Name  The incident? YES No If YES, dentify the medical care and the same and	Account of Actions  Accoun

Case 1:11-cv-05845-LTS Document 653-7 Filed 12/13/23 Page 81 of 118 CITY OF NEW YORK - CORRECTION DEPARTMENT FORM #5006-A-1 Eff.: 9/27/2017 USE OF FORCE WITNESS REPORT PART A-1 INSTRUCTIONS: PRINT ALL INFORMATION DID YOU USE FORCE AGAINST AN INMATE OR WERE YOU A WITNESS/PRESENT AT THE SCENE? To be completed by any member witnessing a use of force incident or present at the scene of a use of force. Use attachments if additional space is inseded and indicate Part and information USED FORCE Section # on each attached page. WITNESS/PRESENT AT THE SCENE If you used force, complete PART A, NOT this report Report Date: Incident Date: Incident Jime: Facility incident #: SIVIC COD Use of Force #: COD Unusual # If any: Location Where Incident Occurred: Post Assigned at Time of Incident: 0500 × 1331 Did any other inmates witness the incident? YES NO If YES, list #: nown Last Name First Name Book and Case or Sentence Number 1 2. Did you see force used against an inmate(s)? YES NO If YES, state name(s) of inmate(s) against whom force was used: Last Name First Name Book and Case of Sentence Number 2 State the name(s) of any other uniform or non-uniform staff involved in or present at the time of the incident: 3 Last Name First Name Rank/Title 1 Used Force
| Used Force Used Force
D) Was a Witness / Present If you were present before the incident began, explain in detail the sequence of events leading up to the incident, including whether the use of force was anticipated (i.e., it was apparent that Staff would likely need to use force to address he situation and there was time to prepare a plan of action prior to using (orce): was not present before incident began. Did you flear or see alternatives, such as verbal commands, attempted before force was used? If YES, describe: 6 poscribe the incident and the specific force used (including the actions of any staff involved in or present during yourself): On Wanesday June 07, 2023, I C.O. assigned to the oscillation for the when passing sym control an alarm was called for the responded to the area bulkeigrap area. I Co. assist staff, upon the basizering clob opening several were exorting Defaired Slate nunulary entro the orriver area HT approximitating 0x20 ms to actively resist staff at which time staff towards the wall near Magnonece. Barbershop

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Case 1:11-cv-05845-LTS Document 653-7 Filed 12/13/23 Page 83 of 118 CITY OF NEW YORK - CORRECTION DEPARTMENT FORM #5006-A-1 Eff.: 9/27/2017 USE OF FORCE WITNESS REPORT PART A-1 INSTRUCTIONS: PRINT ALL INFORMATION DID YOU USE FORCE AGAINST AN INMATE OR WERE YOU A WITNESS/PRESENT AT THE SCENE? To be completed by any mamber witnessing a use of force incident or present at the scene of a use of force. Use attachments if additional space is needed and indicate Part and information USED FORCE WITNESS/PRESENT AT THE SCENE. Section# on each attached page. If you used force, complete PART A, NOT this report akVC Report Date: Incident Date: 6-7-23 Incident Time: Facility incident #: COD Use of Force #: COD Unusual # if any: Location Where Incident Occupred: Post Assigned at Time of Incident 1 By Magamenter Bar hershop Tour: 0500x Did any other inmates withess the incident? YES NO If YES, list #: Last Name First Name Book and Case or Sentence Number .2 Old you see force used against an Inmato(s)? YES NO If YES, state name(s) of inmate(s) against whom force was used: 2 Last Name Book and Case or Sentence Number 2 State the name(s) of any other uniform or non-uniform staff involved in or present at the time of the incident: 3 Shleid/ID Last Name First Name Rank/Title I Used Force I Was a Witness / Present If you were present before the incident began, explain in detail the sequence of events leading up to the incident, including whether the use of force was anticipated (i.e., it was apparent that Staff would likely need to use force to address he situation and there was time to prepare a plan of action prior to using force): This writer was not present before the incident began and did not see the sequence of events leading up to the incident. Did you hear or see alternatives, such as verbal commands, attempted before force was used? If YES, describe: commands attempted before force was used. Describe the incident and the specific force used (including the actions of any staff involved in or present during the incident, including resday June 7th 2023 at approximately 0820 hours I CO. assigned to housing area 13. A during the OsOOx 1331 hour four had exarted a inmate to the babershop and watched austher MOS except him out of the and acting in an aggressive matter while being escorted out of the ladership in the secure said individual into the wall by the magnineter which terminates the incoclent. Continued on Reverse Side

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dent	The part(s) of the inmate's body/bodies to which force was applied and a description of any visible of apparent injuries sustained by Force Was applied to Inmate  Decli and Cetts area,  our responsible for escorting the YES NO. If YES, identify the approximate time the inmate was transported to receiped to the plinic?  Where Was not west approximate time the inmate was transported to receiped to the plinic?
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writer went to the cat this point, there	O. linic ceasing the inc	and C.O. sec dent. I am writing this based	riter then stood up and moved back as C.O. ured inmate to the ground. This I upon my lumediate recollection of the incident nt to my further clarity of the incident and
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9 To-the extent applic	BODY CHEST	o which force was applied and a dos	cription of any visible of apparent injuries sustained by the
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10 Were any other unif	orm or non-unitorm staff	nvolved in ar present at the time of	itie inolderit? PYES NO
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L	st Name	Shat Name	Book and Case or Sentence Number
	and the state of the state of		
12 Were you responsible inmete(s) to the clini	e for escorting the		y the approximate time the jamete was tronsported to receive and the name of the medical provider, if known to you:
. Did you claim any in	Jurius as a result of the in	oldania COVER COMO 1674	SP death and block of his control of
etros monaco uno		eddont? ☑YES. ☐NO HY	ES, desorbe your injuries and how each was oustained:
My right hand			THE SECOND SECOND
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CITY OF NEW YORK - CORR	ECTION DEPARTMENT		7
USE OF FO	ORCE REPORT	FORM #8008-A	Eft. : 8/27/2017
INSTRUCTIONS: PRINT ALL INFORMATION	DED YOU USE EDDOR A ANTON		PARTA
To be completed by any mamber involved in ourse of force incident.  Use attrochiments if additional spaces to needed and indicate Part and Informatics Section # on secto attrached page.	DED YOU USE FORCE AGAINST AN	THE SCENE?	A WITNESSIPRESENT
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	CITY OF NEW	YORK - CC	RRECTION DE	PARTMENT		1-A-2005# A-1	Eff. 9/27/201
***	USE	OF FOR	RCE WITNES	SS REPOR	T		FART A
INSTRUCTION To be completed or present at the additional space Section # on eac	by any member witnessing a use of force. Use all	ATION use of force incide	DID YOU USE FO	DRCE AGAINST AND	NMATE OR I	r Perent of th	WITNESSIPRE
Facility: GRVC	Report Date:   6/7/23	Incident Date: 3/7/23	Incident Time: Facili 0825	If you used force, con ty Incident#:	COD Uso o	NOT this repo	rt. COD Unusua) #
Barbershop		Leac	ssigned at Time of Incid on Center	lent:	Tour: 0700X1	531	
1 Did any oth	er Inmates witness the inci	dont?	YES NO HYES,	list#:		-	
1 2	Last Name		First Na	amo .	Book	and Case or S	Sentance Num
. 3. Ditiyayı see	force used against an Inma						
2 Didyou see		te(s)7	YES NO HYES,	state mame(s) of inm	ate(s) again	st whom force	Was usod:
10	Leaf Name		First Ne				entence Numb
2				<u> </u>			
3	- 1 <sub></sub>			T			·· ·
3 State the nam	ne(s) of any other uniform o	rnoh-unflorm	staff involved in or pres	ont at the time of the	incident:		
, -	Last Name		First Name	Rank/Title	Shield Numb		
2				CO		(E) Used	i Forte a Wilnias / Faisen
3:		<del></del>		. 60		LA Used	Foren
If you ware no	asent before the incident be cipated (i.e., it was apparen to using force):			CO		III Unne	Forte
Did you hear o	see alternatives, such as y	rarbal comman	rts, attempted before to	roe was used?	YES 🔲	NO IIYE	S, describe:
mate entify himself	first gave a false na	ame of	and was informe	roe was used?	entify him	self. In whi	ch he did
neite partify himself introduced not to licer partification and the licer partificatio	first gave a false nass inmate as inmate and sit back of that and sit back of that and the specific force.	ibe down so the	and was informed coming aggresive y can properly sec y can properly sec	ed to properly ide and threathening ourse his restraint	entify him ng to spit o s, larmate	self. In whi on staff. Ini refused ar	ch he did nate was nd spat on
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area and applied a spit mask on the assault staff: I am writing this report reserve the right to amend this report	ds inmate  a clear view due nediately this write Officer  ntinue to spit and e inmate while att	with his right at to standing directler escorted Officer and Office Officers and making empting to head be immediate recolled	m raised in striking gestury behind of Officer to the away from inmate it secured in threats. Officer that and acting irate and the string of the location of the location at this string.	re towards inmate iteratore. I am not code escalate inmate entered the reathering to
evidence.			j	7
To the extent applicable, identify the name	(s) of any Staff Membe	r who authorized and/c	r supilivised the incident.	
NA	•			
	1000 Cal		TRANS.	
8 Identify the part(s) of the inmate's body/bot inmate;	llas to which force was	applied and a descript	ion of any visible or apparent in	urles sustained by the
Upper Body				
9 Were you responsible for esporting the inmate(s) to the clinit?	□YES □ NO	If YES, identify the apmedical care and the	proximate time the inmate was a name of the medical provider, if	ransported to receive known to you:
			- W	
Submitted by: (Print Last Name, First Name, Rame and S	Негом		Signature	

	CITY OF NEW YO	OUNTE	CTION DEPARTME	NT I		7
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line completed by an	y member involved to	ON D	USED FORCE AGAIN	ST AN INDIANT		PART
information Recitor # o	in such attached page.	ndicale Part and	USED FORCE	AT THE SOE	NEY WERE YOU A	WITNESSIPRE
Facility		dent Date: Linclden	WWITNESS OF SALL OF	ESENT, then served	PRESENT AT T	HE SCENE
Location When to I		7/23	Time: Facility incident #:	CODU	of Force #:	T this report
Location Where inclin	Show	Post Assigned	at Time of Incident:			COD DRUSUAL#
Was Supervisor n	soffied before force was s	LESM.	Tabel	Tour:	See X .	<del></del>
Weten	, sale was t	1860? TYES	NO ITYES, write in full N	AME, RANK and	Builti is a	1200.
2 Which Supervisor	was notified	Still Still		O-investment	owiern si	
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	set Name	First Name	CHELL TO THE RESERVE			
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il se	Name Name Name Name Name Name Name Name	Renk/Title  Renk/Title  Renk/Title  Renk/Title	Shieldito Number  Shieldito Number  Shieldito Number  Shieldito Number  Shieldito Number  I YES MO: If YES, specify: First Name	Account of Actions  Book and Case or Sentence Number
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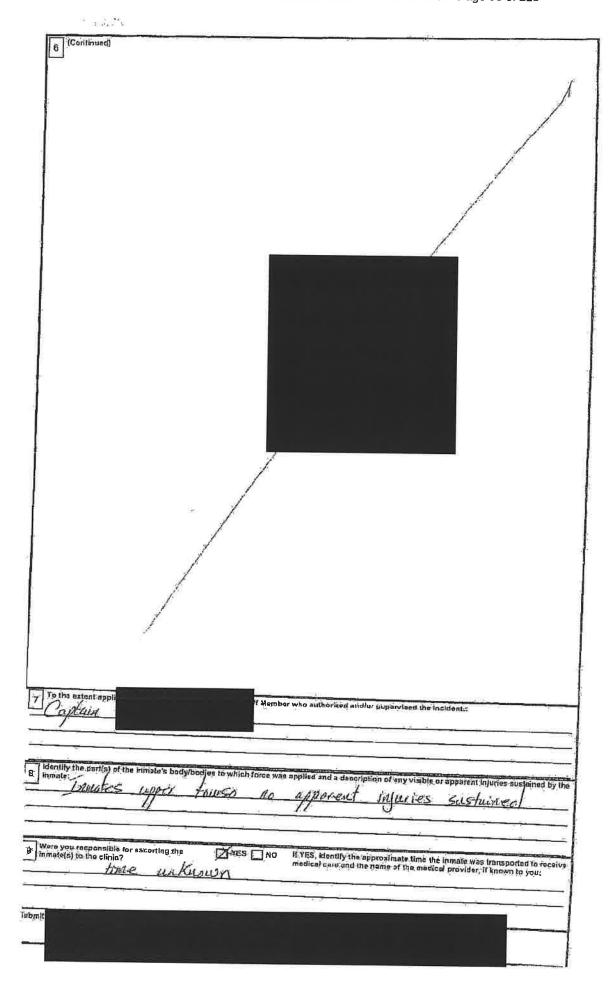
		YORK - CORRE	CHON DEP	ARTMENT	- 1	FORM:#5006-A	Eff. : 9/27/201
		USE OF FO	ORCE RE	PORT	-		
INSTRUCTIC To be completed the attachment Information Scientification Scientif	NS: PRINT ALL INFORM and by any member involved in a le if additional apare is needed; clien # on each attached page.	MOITAT	DID YOU USE FOI	RCE AGAINST AN I	WITHE	E/DDCCCA	5)
GRVC.	Report Date: 6/7/23	Incident Date: Incide 6/7/23 0825	of Time: Facility		men con	ploto PART A-1, NO	or this report.
Location Who Barbersho	to Incident Comment	Post Assigned	et Time of bridge			SECTION S	COD Dunanuj # (
	rvisor notified before force		enter	rite in hill NAME, R	7x3	Y	
	pervisor was notified after 8v			od SUIEI IVW.	ANK AN	SHIELD#:	
3 State-nam	v(s) of inmate(s) against who	om force was used:	(dg) • (c) (d) (d) (d) (d)	ornecton;			ne Notified: 30hrs
	Last Name	First Nam	e Ba	SC or Sent. Numbe	r T	Infrantio	n Wilten?
_ 2						YES YES	DNO
4 Explain in a	istall the sequence of events (i.e., it was apperent that Sti 19 force):	loading unto the lest				- Tues	N CONTROL OF
Wese alternat	Vės, sych as varbal commai	ids, attempted before !	orco was uood?	□ ves ☑,	lo it	YES, describe:	- Warren
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· John Mark				
Fig. 1. 5. 50. 1. 1. 1.				
Explain in detail	why force was necessary to	control the situation:		N-47
Force was ne	cessary to gain comp	liance		
Identify the parts	) of the inmate's body(les) t	n Which force than about a dead and a de	530	
Inmate:	you mis introduce a non-yield t	d which lores was applied and a do	scription of any visible or apparent injuries so	istained by the
Upper Bo	dy			
To the extent app	ficable, identify the name(s)	of any Staff Member who sulborize	Tour and the second	
2000/20-00 NV (0-0-9-9-9-9-9-9-9-9-9-9-9-9-9-9-9-9-9-9	manu organización compressiones de la compressione	or any press member who aumorize	n and/or supervised the incident:	
			The state of the s	
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Were any other ur	lform or non-uniform staff i	nyolized in or present to the Vice of	ęs i	
	lform or non-uniform staff i na identification information	avolved in or present at the time of tand give an account of each persi	ęs i	
Were any other ur I YES, complete t Name	Raink/Title	nvolved in or present at the time of 1 and give an account of each perso Shield/ID Number	ęs i	e incldent:
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NOTIFIED !			- Internation				
	CITY OF NEW	YORK - CO	RRECTION	DEPARTMENT	FORM #500	E-A	Ést Lasaria de
				REPORT	LIGHWW #500	0-A	Eff.: 9/27/201
INSTRUCTIONS:	FRINT ALL INCAE		DID YOU	The state of the s			PART
To be completed by	FRINT ALL INFOR	a use of force inciden			THE SECTION		
Information Section	# on each attached page.	dane inticate Part 45		USED FORCE	WITNESSIPRESENT	ATTH	E SCENE
Facility: GRVC	Report Date:	Incident Date:	indigent linte:	WITNESS or only PRESENT. Facility Incident#:	COD Use of Force		
Location Where in	6/7/23		0825hrs	2.000000A36000000	COD DEB OF PAPOR.	#: J.c	OD Unusual #1
Barbershop	cident Occurred:	Post Am	signed at Time in Center	of Incident:	Tour:		
1 Was Supervis	or notified before force	- Was used?		Wycodo. l	7x3		
The state of the s				If YES, write in full NAME, I	RANK and SHIELD #	;	-0
2 Captain	isor was notified after	the incident? Writ	le in full NAME.	RANK and SHIELD#:	-	Time	Notified:
	of inmate(s) against w					0930	
	Lust Name		t Namo	T seed to the			
1				BAC or Sent. Number			Written?
2							NO
4 Explain In dots	I the sequence of even	nts leading up to th	e incident base	ed on your own observation to address the allustion a	in Industria	YES L	_I ND
ficer	such as verbal commi instructed inmal to not being affor	ia Comment					io identify
licer nself can result	instructed inmat to not being affor	te ded barbersho		used? YES Z			to identify o do that.
licer nself can result	instructed inmet	te ded barbersho					o identify o do that.
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T	(Continues)	<del>*</del>	·	
	0	the right to amend	this report; pursuant to my fu	urther clarity of the incident and possible review of
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F	T-Explain in detail w	Same access		
L	Force was neg	hy force was necessary to	o control the situation: pliance and seize the threat	
	7 0.55 (100	essery to flair cou	brauce and seize the threat	
_	712-20-00-00-00-00-00-00-00-00-00-00-00-00			
18	inmate:	of the inmale's hody(les)	to which force was applied and a de	scription of any visible or apparent injuries sustained by the
1-	Upper Bod	W -		<u>V.</u>
" <b> =</b>				of the state of th
.9	to me excess soblic	cable, identify the name	s) of any Staff Member who authorize	ed and/or supervised the incident:
- 12	////			
10	Were any other unif	arm at non-uniform staff	involved in or present at the time of	
1	Mamn	Rank/Title	mano give an account of each perso	the incident?  TYES NO. on's actions immediately before and during the incident
l		CO	Shidd/ID Number	Account of Actions
1	-			Used Foice
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$\vdash$	Name	Rank/Title		
-	, , , , , , , , , , , , , , , , , , ,	CO	Shieldrin Number	Account of Actions
3.				Used Force
11	Did any other inmates	witness the incident?	YES NO. IT YES, specify	1
	Las	t Name	First Name	Book and Case or Sentence Number
1				
1				
12 V	Vere you responsible	for escinting the	YES NO IF YES, Identify	
14	nmale(s) to the clinic?	i socially the	medical care a	the approximate time the inmate was trensported to receive and the name of the medical provider, if known to you:
13	old you claim any inju	ries as a result of the inc	(qeut) Likes in No 4 Asi	
			institution of the state of the	S, describe your injuries and how each was sustained:
_				<u></u>
Sulimi	tted by: (Print Ast us	E FIRST NAME, RANK and SHIEL	-15	
22.0	and the same of th	FIRST RAME, RANK and SHIEL	D #)	

USE OF FORCE WITNESS REPORT  INSTRUCTIONS: PRINTALL INFORMATION Set completed by sign remober principles and the forest incident section of the principle of the principles of the design and the forest incident section is precise to see the state of the state incident section is precise to see the state of the state incident section is precise to see the state of the state incident section is precise to see the state of the state incident section is precise to see the state of the state incident section is precise to see the state of the state incident section is precise to see the state of the state incident Section (Name Incident Section )  For the state of t	'23 JUN 7 13			annous -	VODK COL	CITY OF NEW		
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In the second and second and sections as a second process incidents and sections as a second	PART.A-1		REPORT	CE WITNESS	MATION	PRINT ALL INFOR	UCTIONS:	NSTRI
Report Day: Incident Control Barrial Post St. 1   Incident Types   Eaching tradisons.   COD Days of Force 8;   COD U.	ESS/PRESENT	CENTRACTURE .	AGAINST AN INMAN	USED F	use of force incident	y member wilnessing a sof x use of force. Use ided and indicate Pan a shed page.	#on each altec	ection
Did any other immiga winness the incident? Set Scanful  Last Name  First Name  Dook and Giaza or Sented  Last Name  First Name  First Name  Book and Giaza or Sented  The Senter of Senter	inusual#if any	ARTA, NOT this repor	areas inter, combinto	0825	6/4/23	6 12/27	VC	3RI
Last Name   First Name   Book and Case or Senter			40.00		TC H	oD O	her Sh	Sarv
Did you see force used against an immate(s)?  Af YES NO. If YES, state name(s) of immate(s) against whom force was a state name(s) of any other uniform or non-uniform stall involved in or present at the same of the heidant.  Last Name First Name Rank/Title Shakezo P.D. D.		3000 1331	i:	ES NO INVESTISI	oldont?		arry of unt min	1
Did you see force used signing an immate(s)?  A YES NO. If YES, state name(s) of immate(s) against whom force was a first barbor of any other uniform or non-uniform stall involved in or present at the same of the incident.  Last Name  First Name  RankUtille  C.O.  C.O.  London  London  London  RankUtille  Shalesto  London  L	nce Number	Book and Case or S	1-1/	First Name		Last Name		1
State the name(s) of any other uniform or non-uniform stall involved in or present at the sme of the incident:  Last Name  First Name  First Name  Rank/Title  Bhook and Case or Sentor  C.O.  P.D.  C.O.  P.D.  C.O.  P.D.  P.D.  C.O.  P.D.  P				es Files ave	State(s)?	used against an inn	you age force	_
State the name(s) of any other uniform or non-uniform stall involved in or present at the sme of the incident.  Last Name  First Name  RanktTitle  ShoketTitle  S	used:	against whom force	name(s) of inmate(s		(A)	fred Name		- [
State the name(s) of any other uniform or non-uniform stati involved in or present at the sme of the incident.  Last Name  First Name  First Name  Rank/Title  Co  Co  Co  Co  Co  Co  Co  Co  Co  C	ica Number	Jook and Case or S		First Name				
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tyou wan present before the incident boggin, explain in detail the requence of events leveling up to the incident, including whether over was anticipated be, it was superment that state would likely need to use force to addraw the state of action prior to using force; this writer was got present for the events leveling and throw was just to present for the events leveling or incident.  It was under the supermental commands, attempted before force was used? The winds was invested to the events leveling of the incident was unable for hear any verbal commodates.  It was unable for hear any verbal commodates to the incident, including the actions of any staff involved in or present during the incident, including the incident and the specific to the incident in the partner claims was incommodated to the control of the contr			1		or non-uniform st	Last Name		[
If you were present before the incident books, explain in detail the sequence of events ending up to the incident, including whether forces was anticipated from it was apparent that Shaft would likely need to use force to address he situation and there was just would likely need to use force to address he situation and there was just a per present for the events leaching in incident.  This writer was just present for the events leaching in the second was unable for hear any verbal communities.  This writer was not present for the events leaching up to the incident was unable for hear any verbal communities.  The incident in the property of the events leaching up to the incident including the actions of any staff involved in or present during the incident, including the incident in the parker of the property in the parker of the property of the over excepting latter from the point was in restraint to pull away from the security latter from the point was latter for the pull away from the security latter for the pull away from the security factor of the point was latter for the pull away from the security factor of the point and the point and exercise and exercise that the point of the pull away from the security factor of the print clinic to the pull away from the security factor of the print clinic to the pull away from the security factor of the print clinic to the pull away from the print clinic to the print			1	i nac, nanjiu			2	-
rescribe the incident and the specific force used lincluding the actions of any staff involved in ar present during the incident, including whether it is used in the specific force used lincluding the actions of action prior to using force).  It is writer was not present for the events leading it is incident.  It is writer was not present for the events leading it is incident.  It is writer was not present for the events leading up to the incident in the second in the present during the incident, including the actions of any staff involved in ar present during the incident, including the character of the area o								
e incident.  Idyou hear or see elementives, such as verbal commands, attempted before force was used? TES PIND 11-YES a Wind work was used? THE PIND 11-YES ON THE WAS unable for hear any verbal commands.  It was unable for hear any verbal commands.  It was unable for hear any verbal commands.  Wednesday June 7th 2013 I CO assigned to test security x1331, responsed to a level "IB" activation in the burker class. However to the area of the over escerting duties from the trace attempted to take over escerting duties from this point, attempted to pull away, from the security of the pull away, from the first point, at this point, and actively resisting the wall. Once is also upon the pull away, from the security further point out and resistance and escenting duties from the wall. Once is and the wall to the wall they are both out and resistance that they wall they are both out and resistance that they wall they are both out and resistance that they wall they are both out and resistance that they wall they are such to the wall they are they took over escenting duties mine thing to be signed.			Ceptain			Vistoria V. V.	war maile	fyeur
Wednesday June 4th 2023 I CO assigned to Est security x 1331, responded to a level "B" activation in the bushes show that the area I CO as observed innate in cestraints and actively resisting after the area over escerting duties from CHVC staff. Innate attempted to pull away, from CO attempted to pull away, from CO at this point, red upor body control hold to secure said innate to the wall. Once she wall I con them took over escorting duties without any resistant			ommeslas.	any versus o	70 near	unance 7	c mas	u j
attempted to take over escenting duties from CRVC staff. Innute attempted to pull away from C.B at this point.  Ted upper body control hold to secure said injuries to the wall. Once should be a second in the wall of the second puries without any residence.	.1		assigned A	0	rce used lincluding	June 7th	luesday	Wed x 13
	hen ecured stance een codent	e wall Once to the patrice of the	thing CHVC Sta Hus point inmate to t duties with the minic scell ferm	secure said over exception	ver escert	P.A.	tempted tempted was a waste Been s	ati ee
Continued on Reverse Side			u version de la company		ie – Lander		estance and a	



	CITY OF NEW YOR	K-CORR	ECTION DEP	ARTMENT	FORM #5008-A-1	EH: :9/27/2017:
	USE OF	FORC	E WITNES	REPORT		PART A-1
additionn(ripace) Section # on each	by any inember witnessing a use of in by any inember witnessing a use of in- stant of a use of force. Use ottachm is needed and indigate Part and infor- pattached page.	orça încident	DID YOU USE FOR	CE AGAINST AN INMA	SCENEY VESS/PRESPRIT AT T	WITNESS/PRESENT
Facility CILL	9507/23 10609	ni Data: Incl				COD Unusual # if any:
rion of	Incident Occurred to Helyhop	1 86	ned as Time of Incide	To Sale	ur) SX	tout
Did any other	er inmales without the incident?	YES	☐NO IFYES, I	st:#:		
1.	Last Name		First Nar	10.	Book and Case or	Sentence Number
Did you sae	force used against an inmate(s)	? TYES	INO HYES	state name(a) of inmate	ist conjust whom to	
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4					DODE AND CASE OF	Senonce Romes:
3						8
	me(s) of any other uniform or no	n uniform stai	filmvalved in ar bres	ant of the time of the 't	roldon's	
J State me na	Lust Name		First Name	Rank/Title	Shield/ID	
1		Pi T	7-7-7	CO	Number	
3.		11 E/11			(Ca) (ca)	sed Force. /aia. Whrees / Present
	resent before the incident began		···		(8)	sed Force (as a Wenpss/Present
Did you hear	or see atternatives, such as ver	~	-		Paleu,	hen an
Didyou heer	1013A Q	sn2+	attempted before to	orce was used?	Paleu,	f YES, describe:
Didyou hear	1013A Q	sn2+	attempted before to	balteksho	Paleu,	f YES, describe:
Dictiyou hasr	1013A Q	~	attempted before to	orce was used?	Paleu,	f YES, describe:
Dictyou haar	1013A Q	sn2+	attempted before to	orce was used?	Paleu,	f YES, describe:
This	1019A Q	sn2+	s attempted before f	orce was used?	YES DING (	f YES, describe:
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Describe the yourself:	incident and the specific force u	sed finduding as in to a he need to a least a	s attempted before for the actions of any state of the actions of the action of the actions of the a	staff involved in or president Context	YES DAG ( YES DA	nt including

To the extent applicable, identify the manager of the immate's bidy.  B identify the part(s) of the immate's bidy.  B immate:  Ware you responsible for excerting the immate(a) to the clinic?	s applied and a description of a	

Case 1:11-cy-05845-LTS Document 653-7 Filed 12/13/23 Page 101 of 118 CITY OF NEW YORK - CORRECTION DEPARTMENT FORM #5006-A-1 Eff.: 9/27/2017 USE OF FORCE WITNESS REPORT INSTRUCTIONS: PRINT ALL INFORMATION DID YOU USE FORCE AGAINST AN INMATE OR WERE YOU A WITNESS/PRESENT To be completed by any member witnessing a use of force incident or present at the scene of a use of force. Use attachments if additional space is needed and indicate Part and information AT THE SCENE? WITNESS/PRESENT AT THE SCENE USED FORCE Section # on each attached page. If you used force plete PARTA, NOT this report Facility: Report Date: Incident Date: Incident Time: Facility Incident #: COD Use of Force #: COD Unusual # if any: 6/7/23 0945 Location Where Incident Occurred: Post Assigned at Time of Incident: Barbershop Beacon 0 700 X153 Center Did any other inmates witness the incident? YES NO 1 If YES, list #: Last Name **First Name** Book and Case or Sentence Number 2 Did you see force used against an inmate(s)? YES NO If YES, state name(s) of Immate(s) against whom force was used: 2 Last Name First Name Book and Case or Sentence Number. 1 2 State the name(s) of any other uniform or non-uniform staff involved in or present at the time of the incident: 3 Last Name Sheldilo First Name Rank/Titlé Used Force
| Used Force
| Was a Witness / Present D Used Force
D Was a Witness / Present [E1] Used Force (E1) Was a Witness / Present If you were present before the incident began, explain in detail the sequence of events leading up to the incident, including whether the use of force was anticipated (i.e., it was apparent that Staff would likely need to use force to address he situation and there was time to prepare a plan This writer Uas NOT Did you hear or see alternatives, such as verbal commands, attempted before force was used? 5 Individual was told to stop resisting when being out in cuffs Describe the incident and the specific force used (including the actions of any staff involved in or present during the incident, including ON Wednesday June was assigned to the 7th 2023 was assigned to the Reacon Center on the Ofodx 1531 town At approximately 0945 hours this writer was standing outside of the parbet shop when Individual When taken out of the basher shop in cases and secured to the wall. Individual was then esconted out This writer did not see enymore Incidents

Continued on Reverse Dide

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the extent applicable, identify the na	male) of any Craff Manches while			
the extere approaple, identity the lid	nets) of any Stan member who	authorized and/or supervised	the incident.;	
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entify the part(s) of the inmate's body/i	odies to which force was appli	ed and a description of any vi	sible or apparent injuries sust	ained by
ipper body +	his writer di	d not see a	ny Injuries	
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ere you responsible for escorting the mate(s) to the clinic?	YES NO IFY	ES, identify the approximate to	ime the inmate was transporte medical provider, if known to	d to rec
	,,,,,,	- 1-1 was my are mane of the	Conceion provider, ir known to	you.

Cas	se 1:11-cv-05845-L-TS	Роси	ment 6	53-7 608-37	iled 12/	13/23 Page 10	ıgë,	103 of 118
	CITY OF NEW YORK	- CORI	RECTION	DEPAR	<b>IMENT</b>	FORM #500	- 11	Eff. : 9/27/2017.
	USE OF	FORC	E WIT	NESS I	REPOR	[	1	PART A-1
To be cor or present additions	CTIONS: PRINT ALL INFORMATION mpleted by any member witnessing a use of forcit state of a use, of force. Use attachment apace is needed and indicate Part and information each attached page.	e Incident is if tion	DIO XOÙ	USE FORCE / USED FOR If you	GAINST AN IN AT J CE V Lund force, com		TATT	WITNESS/PRESENT HE SCENE
(	MUL 6/13/23 6/7	23/10	א <sup>מיוי</sup> ן	Facility Inci	dent #:	COD Use of Forc	e#:	COD Unusual # If any:
V 1	Where Incident Occurred:	Post Assig	ned at Time	of Incident:	1	Tour: 5t	-/	
1 Did:	any other inmates witness the incident?		· President	If YES, list #:			1	
1	Last Name			First Name		Book and C	ase or	r Sentence Number
2		-					1	
3	· · · · · · · · · · · · · · · · · · ·					<del></del>	-#-	107
2 Did y	you see force used against an inmate(s)?	YE	в Дио	If YES, state	name(s) of inn	iate(s) agaińst wh	om for	Ce, was used:
<b>□</b> ,	Last Name			First Name		Book and C	ase o	Sentence Number
2	*						-	
3						<del>-</del>	#	
3 State	the name(s) of any other uniform or non-	uniform sta	aff involved i	n or present e	it the time of th	e incident:	i	
_,∤	Last Namo		First Name		Rank/Title	Shield/ID Number		
2							1050	Used Force
3	311 112 112 112 112 112 112 112 112 112			-		_	((2)	Was a Witness / Presont Used Force Was a Witness / Present
ī	the the incident and the specific force use	icus 1	not	pre:	sent.		edy are a most format planets of a second management and the second seco	If YES, describe:
n.ø.	This writer							
be	ing used b	n in	mate					
	*						1	

Case 1:11<sub>Case</sub> 95845-LTS Document 653-7 Filed 12/13/23 Page 104 of 118 To the extent applicable, identify the name(s) of any Staff Member who authorized end/or supervised the incident: identify the part(s) of the inmate's body/bodies to which force was applied and a description of any visible or apparent injuries sustained by the Were you responsible for escorting the inmate(s) to the clinic? YES NO If YES, identify the approximate time the inmate was transported to receive medical care and the name of the medical provider, if known to you: Submitted by: (Print LAST NAME, PIRST NAME Signatur Confiden

	CITY OF NEW	YORK - COR	RECTION	DEPART	MENT	Т	FORM #5006	i-A-1	Eff.; 9/27/2017
4	USE	OF FOR	E WIT	NESS F	REPOR'	т '		-	PART A-1
additional st	IONS: PRINT ALL INFOR! eted by any member witnessing a the scene of a use of force. Use ace is needed and indicate Part a each attached page.	MATION use of force incident	DID YOU	USE FORCE A	GAINST AN IN AT T	MATE HE SCI	ENE? :\$/PRESENT	AT TI	WITNESS/PRESENT
Facility: GRVC	Report Date; 6/7/2023		icident Time: 824	Facility Inclo			Jse of Force	_	rt. COD Unusual # If any
BARBER	The second secon	ESH T	gned at Time RACKING	of Incident:		Tour: 0500	X1331	_	
Did any	other inmates witness the in	cident?	S NO	If YE9, list #:				-	
1	Läst Name			First Name		F	Book and Ca	se or	Sentence Number
3						-			
Did you	see force used against an ini	nate(s)?	S NO	If YES, state r	name(s) of inm	rate(a)	against who	n forc	:e WEE USOCI:
1	Last Name			First Name			Book and Ca	80 OF	Sentence Number
3						-			
State th	name(s) of any other uniform	n or non-uniform s	aff involved i	n or present at	the time of th	e Incid	ent:	-	
1	Last Name		First Name		Rank/Title		Shield/ID Number		
2					CO				sed Force les a Witness / Present
3					CO			(E) W	ned Force las a Wilness / Present sed Force
force wa	re present before the incident s anticipated (i.e., it was appa prior to using force):	t began, explain in	detail the seq	uence of even	s leading up t	an other To		ir in	es a votness / Present
	ER WAS NOT PRESE IVES SUCH AS VERB	AL COMMAND	98.					.,,	
Describe ti	ne incident and the specific to	rce used (including	the actions						
ouraerry,		0	wondite	or any start INV	olved in or pro	esent d	luring the inc	ident	, including
RADIO	ERING THE AREA, WAS ALREADY SE TRANSMISSION. AS EXIT THE AREA A L WAS ESCORTED	SSISTANT DI		, we there is			INSIR	A S ICTI THE	SPIT MASK ED THIS AREA, THE
		Cor	Minued on Royars	a Side					

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	2
7 To the	extent applicable, identify the name(s) of any Staff Member who authorized and/or supervised the incident.:
UNKNO	AN
UNITO	
8 Inmate	y the part(e) of the inmate's body/bodies to which force was applied and a description of any visible or apparent injuries sustained by the
UNKNOV	WN
5,4110	
9 Were y	you responsible for secorting the YES NO If YES, identify the approximate time the inmate was transported to receive medical care and the name of the medical provider, if known to you:
Januari	and the state of t
Des :	
Submitted	by: (Print LAST NAME, FIRST NAME, RANK and SHIELD #)  Signati

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Case 1:11-cy-05845-LTS | Document 653-7 | Filed 12/13/23 | Page 107 of 118 CITY OF NEW YORK - CORRECTION DEPARTMENT FORM #5006-A-1 USE OF FORCE WITNESS REPORT PART A-1 DID YOU USE FORCE AGAINST AN INMATE OR WERE YOU A WITNESS/PRESENT AT THE SCENE? INSTRUCTIONS: PRINT ALL INFORMATION To be completed by any member witnessing a use of force incident or present at the scene of a use of force. Use attachments if additional space is needed and indicate Part and information WITNESSIPRESENT AT THE SCENE USED FORCE Section # on each attached page. If you used force, complete PART A, NOT this report. Facility: Report Pate: Incident Date: Incident Time: Facility Incident #: COD Use of Force #: COD Unusual # if any: GRUC 6/7/23 6/7/23 0824 Location Where Incident Occurred: Post Assigned at Time of Incident: Did any other inmates witness the incident? YES NO If YES, Ifst #: Last Name First Name Book and Case or Sentence Number 2 Did you see force used against an inmate(s)? If YES, state name(s) of inmate(s) against whom force was used: YES NO 2 Last Name First Name Book and Case or Sentence Number 2 State the name(s) of any other uniform or non-uniform staff involved in or present at the time of the incident: 3 Last Name First Name Rank/Title Number 3 Was a Witness / Present If you were present before the incident began, explain in detail the sequence of events leading up to the incident, including whether the use of force was anticipated (i.e., it was apparent that Staff would likely need to use force to address he situation and there was time to prepare a plan of action prior to using force): Did you hear or see alternatives, such as verbal commands, attempted before force was used? Describe the incident and the specific force used (including the actions of any staff involved in or present during the incident, including vourself): a level B bappeperson. Upon hung excepted out the housing area laurite

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To the extent applicable	, Identify the name(s) of any Staff	Walker and the second	t Pa 15 16	
This use	es lorce u	as on u	nwewoke	ed act therefor
no staff	was able to	authorne	1 BORCO	be used
00				
Identify the part(s) of the	Inmate's body/bodies to which f	orce was applied and a c	escription of any visib	le or apparent injuries sustained by th
en injunt	wooder body	CONTROL	horas u	ere used
D TAINING	<u> </u>			
lwa	At a st Diame .			
Were you responsible for inmate(s) to the clinic?	rescorting the	NO If YES, identification	y the approximate time and the name of the m	e the inmate was transported to received to received the received to you:
mitted by: (Print LAST NAME,	FIRST NAME, RANK and SHIELD #1		Signature:	

								MO1 MO10
CITY OF NEW YORK - CORRECTION DEPARTMENT FORM #5606-A-								Eff.: 9/27/2017
USE OF FORCE WITNESS REPORT								PART A-1
	CTIONS: PRINT ALL INFORMATION mpleted by any member witnessing a use of for		DID YOU L	SE FORCE A				A WITNESS/PRESENT
or preser	nt at the scene of a use of force. Use attachment at the scene of a use of force. Use attachment is space is needed and indicate Part and information	1 -	AT THE SCENE?  USED FORCE WITNESS/PRESENT AT THE SCENE					
Section #	on each attached page.			sed force, com				
Facility:			ncident Time:    810	Facility Incid	ent#:	COD Use o	of Force #:	COD Unusual # if any:
Location	Where Incident Occurred:		Igned at Time	of Incident:		Tour:	204	
- Inid	any other inmates witness the incident?		(REC)	If YES, list #:		0500X1	331	
1	Last Name	-7		First Name		Boot	k and Case o	or Sentence Number
1				11-01-1411110		1 200	walle stage o	y contenios manibol
2								
3								
2 Did	you see force used against an Inmate(s)?		ES NO	if YES, state r	name(s) of inm	ate(s) agai	nst whom fo	rce was used:
	Last Name	_		First Name		Bool	k and Case o	r Sanlance Number
1 2						- <b>-</b>		
3						-		
3 Stat	e the name(s) of any other uniform or nor	-uniform :	staff Involved i	or present a	t the time of th	e incident:		
التا	Last Name		First Name		Rank/Title		leld/ID imber	
1					C.O			Used Force   Was a Wilness / Present
2					C.O			Used Force Was a Wilness / Present
3					0,0		8	Used Force   Was a Witness / Present
area.  5 Did This w	alking pass the barbershop when you hear or see alternatives, such as vert iter wasn't present for the use of	al comma	ands, attempted	1 before force	was used?	YES	<b>☑</b> NO	if YES, describe:
As this barber secure face. A	ct order to stop trying to take t	on said Once of ded said he mas	and d P.I.C. Or n his feet s id inmate to	ice that wa aid P.I.C a o the cabi writer also	. This as completed attempted net that was gave said	ted. This to take as by sa d P.I.C a	structed s writer in the spit r aid in P.I. a direct o	nstructed officer mask off of his C, and give him order to stop. At

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7					
To the extent applicable, identify the name	a(s) of any Staff Membe	er who authorized and	or supervised the inciden	t:	
Captain			Silve Dominion		
Identify the part(s) of the inmate's body/bo inmate:	dies to which force wa	s applied and a descri	otlen of any wight		
Jinmate:	SECRETARIA DE CONTROL		priori of any visible of app	arent injuries sustained	by th
nknow due to this writer					
Were you responsible for escorting the	YES INO	If YES, identify the	annrovimate time the less		
Ware you responsible for escorting the inmate(s) to the clinic?	<u>□</u> (□	medical care and th	approximate time the inm se name of the medical pr	are was transported to re ovider, if known to you:	eceive
	6				ī
bmitted by: (Print LAST NAME, FIRST NAME, RANK and	SHIELD F)		Sig		-

Case 1:11-cv-05845-LTS Document 653-7 Filed 12/13/23 Document 608-37 Filed 11/17/23 CITY OF NEW YORK - CORRECTION DEPARTMENT FORM #5006-A-1 USE OF FORCE WITNESS REPORT PART A-1 PRINT ALL INFORMATION DID YOU USE FORCE AGAINST AN INMATE OR WERE YOU A WITNESS/PRESENT AT THE SCENE? To be completed by any member witnessing a use of force incident or present at the scene of a use of force. Use attachments if additional space is needed and indicate Part and Information WITNESS/PRESENT AT THE SCENE USED FORCE Section # on each attached page. If you used force, complete PART A, NOT this report Report Date: Incident Date: Incident Time: Facility incident #: COD Use of Force #: COD Unusual # if any: **GRVC** 06/07/23 06/07/23 0800 Location Where Incident Occurred: Post Assigned at Time of Incident; Tour: Barbershop CPSU intake supervisor 0500 X 1331 Did any other inmates witness the incident? 1 YES 7 NO If YES, list #: Last Name First Name Book and Case or Sentence Number 2 Did you see force used against an inmate(s)? YES NO If YES, state name(s) of inmate(s) against whom force was used: 2 Last Name First Name Book and Case or Sentence Number 2 State the name(s) of any other uniform or non-uniform staff involved in or present at the time of the incident: 3 Last Name Shield/ID First Name Rank/Title CO [] Was a Witness / Present 2 Used Force
Was a Witness / Present CO CO If you were present before the incident began, explain in detail the sequence of events leading up to the incident, including whether the use of force was anticipated (i.e., it was apparent that Staff would likely need to use force to address he situation and there was time to prepare a plan On Wednesday June 7th 2023 I Captain assigned to the ESH intake on the 0500 X 1331 hour tour was notified of a level A incident where a PIC was involved in a use of force with DOC staff in the Barbershop and was instructed to order to the area with two officers. Did you hear or see alternatives, such as verbal commands, attempted before force was used? 7 YES If YES, describe: This writer was not in the area when the use of force happened. Describe the incident and the specific force used (including the actions of any staff involved in or present during the incident, including On Wednesday June 7th 2023 at approximately 0800 hours I Captain along with two assigned to the ESH intake arrived in the area and observed a PIC later identified as been secured by two DOC staff. This writer then instructed my officers to take custodyand they pulled his arm and secured him outside the baerbershop to the wall. Officer initially took custody but then Officer then escorted PIC away from the area to the building 11 mini clinic. Upon completion or medical attention PIC was then escorted back to his housing area.

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Case 1:11-cy-05845 4.TS	2 Pocument 653-77	Filed 12/13/23 Page 112 of 118
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C 4:1		
	E	
7 To the extent applicable, Identify the name	(s) of any Shaff Morphorytha with a	
	(a) and oran method who authori	zed and/or supervised the incident.:
N/A		
8 Identify the part(s) of the inmate's body/bod inmate:	lies to which force was applied and	a description of any visible or apparent injuries sustained by th
upper body and arms torso		,
Were you responsible for escorting the inmate(s) to the clinic?	YES NO If YES, iden medical ca	ntify the approximate time the inmate was transported to receive re and the name of the medical provider, if known to you:
Approx. 0820 hours		
ubmitted by: (Print LAST NAME, FIRST NAME, RANK and S	HIELD #)	Signat

Case 1:11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 113 of 118



### CORRECTION DEPARTMENT CITY OF NEW YORK

FORM NO 7504R REV 12/01/11 REF. DIR. 7504R-A



## NOTICE OF SUMMARY SUSPENSION FROM DUTY

SECTION "A"	- EMPLOYEE INFORM	ATION	***	
Last Name:	First N	lame:	Rank: Correction	Officer
Shield #:	Social Security #:	Command: George R.	Vierno Center	H W
SECTION "B" - REAS	ON FOR SUSPENSION	W. W.		
Date of Alleged Violation	on(s): Wednesd:	ay, June 7, 2023		
physical contact with his up	ed lunging towards said PIC, very torso area. (Refer to UOF)	vho was secured by a #2893/23-	an escort in mechanical re	AOS's upper torso. straints, and makir
	y: t Commissioner	Suspensio	on Authorized By:  Commissioner	
SECTION "D" - PERIO				
Date Suspension Effectiv Wednesday, June 7, 2022	)	Time Suspensi	on Effective:	1931075
Date Suspension Comple Saturday, June 17, 2023		Time Suspension 0001 Hours	on Completed:	31
SECTION "E" - SERVI	CE OF NOTICE			
	Date: June 7, 2023		Time:	Hours
ECTION "F" - RECEI	T / NOTICE OF APPEA	L.		hallower .
storia Blvd; Suite 390, East Elmhu your Commanding Officer.	ly reviewed by the Summary Suspended, by writing to the Summary Suspenst, N.Y. 11370. Sec. Directive 75041	R. Any changes or modi	e. C/O Assistant Commissioner fications of this suspension will	E.E.O., at 75-20 be transmitted to you
HIS IS TO VERIF UMMARY SUSPE	Y THAT I HAVE BE NSION FROM DUT	EN SERVED Y WITH		TICE OF IOUT PAY,
mployee's Sign			Date: 4 6/7	2023



## NEW YORK CITY DEPARTMENT OF CORRECTION PERSONNEL DIVISION

## DEPARTMENTAL PROPERTY RECEIPT FORM

FORM # 887 | REV. 12/87 | REFERENCE: GEN. ORDER # 008/87

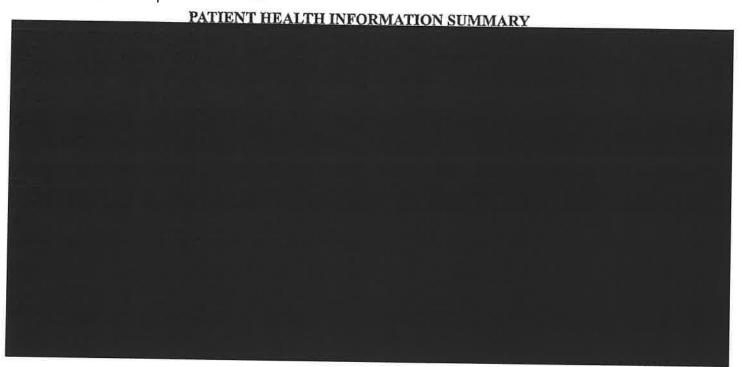


SECTION #1~	TO BE COMP	LETED	BY MEMBER'S (	COMMANI	)			
RECEIVED FROM								
RANK/TITLE CO			and the same of th	D	G.R.V.C			
REASON (CHECK ONE)	RETIREMENT			RESIGNATION SUSPEI				
FIREARMS	SERIAL NUI	/BER	· ·		PISTOL	PERMIT		
INFORMATION	MAKE				(CHECK			
CHECK IF APPLICABLE	MODEL NUM	BER			-	FS [	NO	
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SIGNATURE	^ "				DATE	el7123		
		1						
SECTION # 2 - 1	TO BE COMPL	ETED	BY THE APPLICA	NT INVES	TIGATIO	ON UNIT		
ITEMS (CH	HECK)				1			
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HAT PIECE			HAT PIECE #					
RULES & REGULA	NTONS []		RULES & REGU					
INDENTIFICATION	CARD V		CONTROL #					
PARKING PASS			PARKING PASS					
STAB / SLASH VES	ST 🗌		STAB / SLASH	VEST#				
BALLISTIC INSER	T 🗆		BALLISTIC INSI	BALLISTIC INSERT #				
PROPERTY IN	PRINT NAME				<u> </u>			
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ENTIFICATION C	ARD RETURNE	D TO ME	EMBER (CHECK ON		YE	s ×	NO	
IGNATURE OF ME							140	
ECTION # 3 - DI	STRIBUTION							
RIGINAL TO BE FI	LED AT MEMB	ER'S CO	MMAND	COPY TO	PERSON	MEI DIVI	SION	
OPY TO APPLICAN					COPY TO PERSONNEL DIVISION COPY TO MEMBER			
				10011		. rs	- 1	

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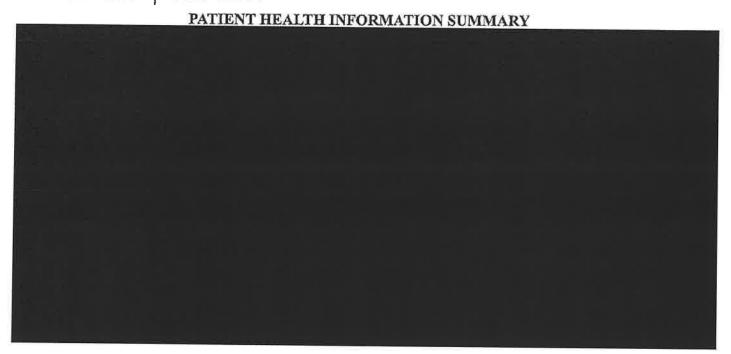
6/9/23, 8:57 AM Case 1:11-cv-05845-LTS Decorrected 6/9/23 Yours Page 115 of 118

NYC HEALTH+ HOSPITALS HEALTH



6/9/23, 8:57 AM Case 1:11-cv-05845-LTS DOCUMENT GOSPS 1/2 1/25 Page 116 of 118

NYC HEALTH+ HOSPITALS CORRECTIONAL HEALTH



Case 1:11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 117 of 118 NEW YORK CITY DEPARTMENT OF CORRECTION Louis A. Molina, Commissioner



Manuel J. Hernandez, Deputy Commissioner Investigation Division 75-20 Astoria Boulevard - Suite 350 East Elmhurst, NY 11370

> Tel 718 • 546 • 0305 Fax 718 • 278 • 6541

	Date:	June 21, 2023
,	То:	, Assistant Commissioner, George R. Vierno Center (GRVC)
]	From:	Deputy Director, Investigation Division
į	SUBJECT:	FACILITY REFERRAL: UOF # U2893/23 Barbershop
(1	officer failed to upload	, Officer and Officer , but d the proper medical documentation for their injuires.
	☐ Directive	5006R-D.VI & 4516R-D; Delayed medical: Injury to Inmate Report #
-	☐ Directive	5006R-D.VI; Missing Staff Report(s): ADW/Captain/Officer:
_	☐ Directive	5006R-D.VI; Staff report failed to provide detailed description of force:
-	☐ Teletype (	Order # HQ-01378-0; Generalized terms utilized in staff reports:
-	Directive:	5006R-D.VI & Operation Order 1/22; Body worn camera/Handheld video.
-	Directive:	5006R-D.VI; Documents pertinent, were not readily available with 24 hrs.
F		Regulations 3.20.010; Profanity/Use of inappropriate language:
L	☐ Operation	Order 1/22; Body worn camera/Handheld video.:
		ve captain duty during this incident was identified as
L		interview 🛮 Documented Counseling is recommended for the following:
injuries.  After a l  Comma	<u>Use of Force i</u> nder shall ens	officer submitted Use of Force Reports they sustained received medical attention at the Facility. As per Use of Force Directive 5006R-D; ncident or an allegation of a Use of Force, a Captain assigned by the Tour sure that at least four (4) color digital photographs shall be taken of each staffed injuries during a Use of Force incident.
Within this issue rais	nirty (30) busin sed. If you hav	ness days of receipt of this memorandum, please report the actions taken to address the re any questions or concerns, please do not hesitate to contact me at
R	eceived:	
	ction Taken:	

## Case 1:11-cv-05845-LTS Document 653-7 Filed 12/13/23 Page 118 of 118 Case 1:11-cv-05845-LTS Document 608-37 Filed 11/17/23 Page 118 of 118



#### NYC DEPARTMENT OF CORRECTION

#### **Retraining Request Form**

-												
	Request Date			Request	or Name		5,57					
	06/26/2023			Deputy Director								
		AT SEVEN SERVICES	Request	or Division	ver (gjjor ex)a	of the Artic						
×	Investigation Division	on										
	EISS			Other:			-					
						=======================================						
Ä,		s	taff Memb	er Information								
× :	Rank	First Name	Ls	st Name	Shield	Command						
	Officer		]			GRVC						
×	1 1		Incident	Information			31 . Y					
NA.			A N	Zagradija i ki								
	Incident Date		ident Num D# or UO		Fac	ility						
	June 7, 2023		U2893/23		GRVC							
strik inter Acce indiv	standing on both set and struck PIC sets to the PICs body are action between PIC ording to the Body Workiduals in custody. Spec	sides of him. PIC in the facial area o	spat on ausing the oserved were escalated.  Order staff 1 be activated.	the floor as Office PIC to fall in the caring a body worn shall activate their	chair where Officer camera and failed to a r camera to record all i ents including any inte	employed multip ctivate it when the interactions with	le					
à		nrveillance Footage, Ha ncluding specific date				rmation						
		Recommended R	etraining (	Course (please on	ly select one)		7					
	of Force Directive 5006	5R-D		Handheld Came								
	Report Writing			Body Worn Can								
Defensive Tactics				Use of Restraint								
Chemical Agents				Crisis Intervention / Conflict Resolution								
	Skills			EEO								
	Extractions			PREA								
Facil	lity Emergency Respons	se					li x					